

Cabinet



Date of meeting:	10 August 2021
Title of Report:	Modern Slavery Update 2021
Lead Member:	Councillor Mrs Vivien Pengelly, Cabinet Member for Homes and Communities
Lead Strategic Director:	Giles Perritt (Assistant Chief Executive)
Author:	Caroline Marr, Senior Policy Advisor
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Your Reference:	MS 10.08.21
Key Decision:	No
Confidentiality:	Part I - Official

Purpose of Report

To update Cabinet on the ongoing Council actions to tackle modern slavery and the development of the overarching principles which build on the previously agreed Ten Commitments.

To endorse the development of a Modern Slavery Policy for the Council and agree the principles and the statutory annual Modern Slavery Statement for publication.

Recommendations and Reasons

1. Cabinet to note the progress made on the Ten Commitments.
2. Cabinet to approve the updated Modern Slavery Statement.
3. Cabinet to agree the new Modern Slavery Policy and overarching principles.
4. Cabinet to note the Action Plan for 2021-22.

Alternative options considered and rejected

Option: To not re-publish an up to date Modern Slavery Statement taking into consideration the arrangements for incorporating the new requirements later in 2021. This option was rejected as failure to publish an up to date Statement and to monitor and take action on modern slavery could lead to the council incurring financial and legal penalties and could cause reputational damage.

Relevance to the Corporate Plan and/or the Plymouth Plan

The Council's Corporate Plan sets out our ambition to be one of Europe's most vibrant waterfront cities, where an outstanding quality of life is enjoyed by everyone. Taking action to eradicate modern slavery either within our own supply chains or within the wider community aligns with all our corporate values;

- Democratic – we will empower people to make change happen
- Responsible – we are accountable for our actions and the impact we have on others
- Fair – we will treat everyone with respect and champion fairness
- Collaborative – we will provide strong community leadership and work together.

Sign off:

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Originating Senior Leadership Team member: Giles Perritt (Assistant Chief Executive)											
Please confirm the Strategic Director(s) has agreed the report? Yes Date agreed: 27/07/2021											
Cabinet Member approval: Approved by Councillor Pengelly, Cabinet Member for Homes and Communities Date approved: 27/07/2021											

1. SUMMARY

This paper sets out the progress made against the Ten Commitments since 2020 and asks Cabinet to note the shift in approach for monitoring and reporting. Building on the Ten Commitments this paper proposes a streamlined approach held together through a new Modern Slavery Policy and set of overarching principles, supported by an annual action plan. There have also be changes to the way in which we have set out the Modern Slavery Statement to align with Home Office recommendations and the requirements due to be enacted later in 2021.

2. BACKGROUND

The Modern Slavery Act (2015) (MSA) sets out a range of measures on how modern slavery and human trafficking should be dealt with in the UK. In January 2019, the Home Office published its Second Interim Report from the independent review of the MSA, covering transparency in supply chains. In summary the review called for current legislation to be strengthened.

The recommendations made from the review centred on seven areas, including the recommendation that Section 54* should be extended to the public sector:

- Local government, agencies and other public authorities should publish a statement if their annual budget exceeds £36 million.
- Government should strengthen its public procurement processes to make sure that non-compliant companies in scope of section 54 are not eligible for public contracts.
- Crown Commercial Service should keep a database of public contractors and details of compliance checks and due diligence carried out by public authorities. The database should be easily accessible to public authorities for use during the procurement process.

(* Section 54 of the Modern Slavery Act 2015 requires commercial organisations carrying out business in the UK, with a turnover of at least £36 million, to prepare and publish a slavery and human trafficking statement for each and every financial year).

In March 2020 the UK Government published a Modern Slavery Statement setting out the action they are going to take to prevent modern slavery within their supply chains and in October 2020, they published their most recent [Modern Slavery Annual Report](#). Taking on board the recommendations and following a consultation period, the Government announced in September 2020 [future changes to the reporting requirements for modern slavery statements](#), that will help to ensure there is transparency in supply chains, but these changes have not yet come into effect and organisations have been advised that they should continue to report under the current requirements.

3. MODERN SLAVERY NATIONALLY

National Referral Mechanism (NRM) and Duty to notify (DtN) statistics covering quarter 1 2021 were released on Thursday 03 June. The statistical bulletins give a summary of the number of potential victims referred to the NRM across the UK, as well as the number of potential victims reported via the DtN process in England and Wales. The statistics show that:

- 2,945 potential victims of modern slavery were referred to the Home Office in the first quarter of 2021, representing a 3% decrease compared to the preceding quarter (3,041) and a 3% increase from quarter 1 in 2020 (2,862)
- 75% (2,197) were male and 25% (745) were female
- 64% (1,897) of potential victims claimed exploitation in the UK only and 23% (691) claimed exploitation overseas only
- 49% (1,431) of referrals were for potential victims who claimed exploitation as adults and 45% (1,330) claimed exploitation as children

- For adult potential victims, labour exploitation was most commonly reported (27%; 383), whereas child potential victims were most often referred for criminal exploitation (52%; 690)
- The most common nationalities referred this quarter were UK, Albanian and Vietnamese
- The Single Competent Authority (SCA) made 2,922 reasonable grounds and 406 conclusive grounds decisions in this quarter. Of these, 91% of reasonable grounds and 84% of conclusive grounds decisions were positive
- The Home Office received 718 reports of adult potential victims via the DtN process.

4. MODERN SLAVERY IN PLYMOUTH

To date we have never needed to refer a contractor to the National Crime Agency in respect of modern slavery or human trafficking and operationally we are actively involved in both the support of identified victims and the disruption of offenders in the city.

Over the past 12 months Community Connections have been involved in the National Crime Agencies Operation Aident. This is a week of focused proactive engagements across the city following nationally set themes. Most recently Operation Aident focused on Labour Exploitation and Domestic Servitude. There will be different themes for each week of action with the next being sexual exploitation which is currently in the planning stage and will run in September 2021.

Throughout 2020 and into 2021 Plymouth City Council has been involved with 38 enquiries / investigations relating to modern slavery, which were predominantly concerning the requirement of a person to perform compulsory or forced labour. The range of support measures considered for each case were focused on the safety of the victim(s) and included the provision of temporary accommodation, access to services where required, food and clothing and also whether there was a requirement to make a referral into the National Referral Mechanism.

In a number of cases we were able to provide a positive outcome for the identified victim. In addition, we continue to assist in the development of investigations through the provision of information and upon request attended warrants to consider supportive functions to victims at the scene and the wider use of civil powers permitting the most disruptive tools to be used against organised crime groups.

5. THE COUNCIL'S PROGRESS

Prior to the Home Office's independent review and the subsequent action taken by Government, the Council agreed a Motion on Notice to tackle modern slavery through procurement and the provision of a Charter containing Ten Commitments, to embed this in local practice – this happened in September 2018. The Council also published a Modern Slavery Statement.

The Council has made significant progress in the last 12 months and is continuing to build on the recommendations made in the independent review and preparing to ensure that we are able to meet the new requirements due to be implemented later this year. These include;

- Ensuring we include the mandated areas that statements must now cover and publish our statement on our website and the Government-run reporting service.
- Ensuring we meet the single reporting deadline - reporting on the same twelve-month period (April to March) with six months to prepare our statement in time for a single reporting deadline of 30 September.
- Ensuring our Modern Slavery Statement includes the date of Board (or equivalent) approval and Director (or equivalent) sign off - public sector modern slavery statements will need to be signed off by the accounting officer, Chief Executive or equivalent role; and approved by the senior management body.

The progress that we have made not only includes steps to ensure transparency in our supply chains through the Ten Commitments, but from an operational perspective we have collaborated extensively with partners to identify and address modern slavery in the city.

We now want to extend our commitment to tackling modern slavery further by agreeing a Policy and laying out a new set of principles by which we embed best practice within the organisation and by producing an annual action plan to sit alongside these. The proposed principles and draft action plan are based on the Ten Commitments, but extend further to not only address modern slavery through our procurement processes, but also the action we take within the city to tackle incidents. Our commitment and approach to tackling modern slavery and the proposed principles are laid out in the appended draft Modern Slavery Policy (See Appendix A).

In order that we meet the requirement to report on progress please see Appendix B which sets out the Ten Commitments and the progress that has been made against each of them over the last 12 months – this progress is embedded within the proposed 2021 Statement.

6. MODERN SLAVERY STATEMENT AND TOOLKIT

Although organisations are not expected to guarantee that all their supply chains are ‘slavery free’, our Statement must describe the steps we are taking during the financial year to deal with modern slavery risks in our supply chains and our own business.

The Council has a published Statement and accompanying toolkit to support the implementation of the Modern Slavery Act 2015 and is committed to eliminating practices and conditions which may foster modern slavery to occur.

We have updated our Statement for the year ahead. It explains the steps that Plymouth City Council took in 2020 to identify, prevent and mitigate modern slavery in our operations and supply chains. We have made progress in addressing the recommended content required within this Statement as mandated by the Home Office and are developing an action plan that will help us move to a position of full compliance within the next 12 months.

The [Home Office’s statutory guidance](#) recommends that we cover the following six areas in our statement:

1. Organisation structure and supply chains
2. Policies in relation to slavery and human trafficking
3. Due diligence processes
4. Risk assessment and management
5. Key performance indicators to measure effectiveness of steps being taken
6. Training on modern slavery and trafficking

(See Appendix C for full proposed Statement and Appendix D for proposed Action Plan).

The peninsula Anti-Slavery partnership is currently reviewing its response to modern slavery and the supportive actions for victims. The review, led by the Police is currently on hold due to the impact of COVID-19, however it was progressing well previously so it is anticipated that this will be prioritised when the partnership returns to a more stable footing. It is therefore suggested that the published [National Referral Mechanism Toolkit](#) which sets out the Plymouth Approach to tackling modern slavery and human trafficking remains in place and is reviewed in line with the partnership's wider review when finalised. Plymouth has requested that they have Plymouth centric plans in the appendix given the setup and services on offer across the city. If this is not agreed by the partnership then the council will need to revisit.