

# ARUN DISTRICT COUNCIL

## REPORT TO AND DECISION OF THE POLICY & FINANCE COMMITTEE ON 9 DECEMBER 2021

**SUBJECT: MODERN SLAVERY POLICY STATEMENT**

**REPORT AUTHOR:** Cathryn French, Safeguarding Officer  
**DATE:** 11/11/2021  
**EXTN:** 01903 737 828  
**AREA:** Community Wellbeing

### **EXECUTIVE SUMMARY:**

From 2022 the Modern Slavery Act 2015 (section 54) will require Arun District Council to publish a 'Transparency in Supply Chains' Policy Statement. The purpose of the Statement is to demonstrate the actions the Council will take to identify, prevent and mitigate incidences of modern slavery and trafficking in its supply chain. This report sets out for approval the Policy Statement and the registration of the Policy Statement with The Home Office.

### **RECOMMENDATIONS:**

It is recommended that the Policy & Finance Committee:

- 1) Adopt Arun District Council's Transparency in Supply Chains' (TISC) Policy Statement;
- 2) Request the Corporate Support Committee reviews the Council's Procurement Policy to ensure that supply chain transparency is given appropriate consideration in the purchasing of goods and services;
- 3) Require a break clause in contracts where Modern Slavery and Trafficking is identified and no remedial action is taken;
- 4) Support a procurement threshold of £100,000 for suppliers to evidence compliance with the Modern Slavery Act 2015; and
- 5) Support training in the principles of due diligence to mitigate any risk of exploitation in supply chains for front line officers and officers involved in the procurement of goods and services.

## **1.0 BACKGROUND:**

- 1.1 Modern slavery is the illegal trade of humans for to profit off their labour by exploitation – labour, sexual or criminal. It includes slavery, domestic servitude, forced and compulsory labour. It is often hidden in plain sight. To tackle these crimes, the Modern Slavery Act 2015 ('the Act') was introduced which consolidates and clarifies modern slavery offences; toughens penalties and prosecution; and introduces greater support and protection for victims.
- 1.2 Section 52 of the Act imposes a statutory duty on public authorities, to notify the Secretary of State of suspected victims of Modern Slavery or Human Trafficking. The Council is a 'First Responder' under the National Referral Mechanism (NRM) and requires the Council to make referrals to secure appropriate protection and support for victims.
- 1.3 Section 54 of the Act requires companies with an annual turnover above £36m and from 2022 public authorities to develop a Modern Slavery Statement to annually evidence the processes adopted in relation to Modern Slavery and Human Trafficking in its business and supply chains and the steps taken to assess and mitigate any risk.
- 1.4 The Council is uniquely placed with the wide range of goods procured and services delivered to ensure the community and the suppliers with whom the Council does business understand the risks of Modern Slavery in supply chains and take appropriate action to identify and address those risks.
- 1.5 The following sectors are considered as posing a high risk of slavery or human trafficking:
  - Security services
  - Cleaning
  - Catering
  - Construction
  - Health and Social care
  - Agriculture
  - Food supply
  - Nail bars
  - Car cleaning
- 1.6 Many of these sectors have a reliance upon low-skilled or unskilled labour, typically work that is low-paying and often carried out by vulnerable workers (women and children). The work is often characterised by its uncertain or temporary nature (e.g. seasonality or employment of agency workers).
- 1.7 Arun District Council procures goods and services which may be susceptible, either directly due to the nature of the work, or indirectly through supply chains (e.g., Cleaning, Waste collection, Grounds Maintenance, Leisure, Information and Communication Technologies, Stationery, Construction etc.). The Council therefore has a duty not only to demonstrate value for money in procurement of goods and services, but also to ensure that its supply chain is free from Modern Slavery and Human Trafficking, particularly in areas of employment that may be susceptible to abuse.

1.8 The Modern Slavery Policy Statement (Appendix 1) sets out Arun's commitment to the Act and the principles it will adopt to ensure the Council complies with its duty. It is proposed that the Policy Statement is adopted and reviewed annually, and that the Council's Procurement Policy is revised to ensure that supply chain transparency is given appropriate consideration in the purchasing of goods and services. Furthermore, it is proposed that training is given to those employees who are best placed to identify acts of Modern Slavery and those who procure goods and services to ensure that the Council is not inadvertently supporting unethical organisations.

**2. PROPOSAL:**

It is proposed that the Policy and Finance Committee:

- 1) Adopt Arun District Council's Transparency in Supply Chains' (TISC) Policy Statement.
- 2) Request the Corporate Support Committee review the Council's Procurement Policy to ensure that supply chain transparency is given appropriate consideration in the purchasing of goods and services;
- 3) Require a break clause in contracts where Modern Slavery and Trafficking is identified and no remedial action is taken;
- 4) Support a procurement threshold of £100,000 for suppliers to evidence compliance with the Modern Slavery Act 2015; and
- 5) Support training in the principles of due diligence to mitigate any risk of exploitation in supply chains for front line officers and officers involved in the procurement of goods and services.

**3. OPTIONS:**

It is a legal requirement to approve, publish and register a Transparency in Supply Chains Policy Statement. The Policy and Finance Committee may support the proposals or propose changes to the Statement.

**4. CONSULTATION:**

Has consultation been undertaken with:	YES	NO
Relevant Town/Parish Council		✓
Relevant District Ward Councillors		✓
Other groups/persons (please specify)		✓

5. ARE THERE ANY IMPLICATIONS IN RELATION TO THE FOLLOWING COUNCIL POLICIES: (Explain in more detail at 6 below)	YES	NO
Financial	✓	
Legal	✓	
Human Rights/Equality Impact Assessment		✓
Community Safety including Section 17 of Crime & Disorder Act		✓

Sustainability		✓
Asset Management/Property/Land		✓
Technology		✓
Other (please explain) Procurement Advice from Hampshire County Council, Pan Sussex Anti-Slavery Network, WSCC Community Safety Partnership and Chichester District Council	✓	

**6. IMPLICATIONS:**

Financial: The proposals will require the review and revisions to the Council's Procurement Policy.

Legal: It will be a legal requirement for the Council to publish and register a Transparency in Supply Chains Policy Statement. Service and supply contracts will need to reflect the Council's Transparency in Supply Chains Policy Statement.

**7. REASON FOR THE DECISION:**

To comply with the pending change in legislation and our statutory duty as a local authority.

**8. BACKGROUND PAPERS:**

**Modern Slavery Legislation:**

<https://www.legislation.gov.uk/ukpga/2015/30/contents/enacted>

**Modern Slavery Act Guidance (2015):**

[Modern Slavery Act Guidance \(2015\)](#)

**Modern Slavery Statement:**

<https://www.gov.uk/guidance/publish-an-annual-modern-slavery-statement>

## **Appendix 1**

### **Arun District Council**

#### **Modern Slavery Policy Statement 2021-22**

##### **1 Policy Statement - Introduction**

Modern Slavery is a crime and a violation of fundamental human rights. It takes various forms, such as slavery, servitude, forced and compulsory labour and human trafficking, all of which have in common the deprivation of a person's liberty by another to exploit them for personal or commercial gain.

Arun District Council (referred to as the Council herein) has a zero-tolerance approach to modern slavery. The Council recognises its responsibilities under the Modern Slavery Act 2015 and is fully committed to the prevention of slavery and human trafficking in its corporate activities and to ensuring that its suppliers and supply chains hold the same high standards.

The Council has also signed up to the Modern Slavery Pledge and will adhere to its principles.

This modern slavery statement sets out the Council's commitment to:

- acting ethically and with due regard to Modern Slavery and Human trafficking
- identifying and meeting any training needs within the organisation
- working with partners to identify and map high-risk supply chains
- acknowledging the Council's duty to notify the Secretary of State of suspected victims of Slavery or Human Trafficking via the National Referral Mechanism (NRM) notification tool

##### **2 Structure of the organisation**

Arun District Council is a local authority in the public sector. The Council has 380 employees. To find out more about the Council <https://www.arun.gov.uk/>

The Council works with over 1,500 suppliers providing a wide range of goods and services. The value of contracts ranges from tens of pounds to millions. The Council has an approved procurement policy and measures in place to audit and monitor contracts.

### **3 Definition of Modern Slavery**

Modern Slavery is the illegal trade of humans for to profit by exploitation – labour, sexual or criminal. It includes slavery, domestic servitude, forced and compulsory labour.

- '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

The Modern Slavery Act 2015 was introduced to consolidate and clarify modern slavery offences; toughen penalties and prosecution; and introduces greater support and protection for victims.

The Council is a 'First Responder' under the National Referral Mechanism (NRM) and requires the Council to make referrals to secure appropriate protection and support for victims.

Section 52 of the Act imposes a statutory duty on public authorities, to notify the Secretary of State of suspected victims of Modern Slavery or Human Trafficking.

Section 54 of the Act requires companies with an annual turnover above £36m and from 2021 public authorities to develop a Modern Slavery Statement, also known as a Transparency in Supply Chains (TISC) statement. The statement will annually evidence the processes adopted in relation to Modern Slavery and Human Trafficking in its business and supply chains and the steps taken to assess and manage that risk.

### **4 Due Diligence**

The Council is uniquely placed with the wide range of goods procured and services delivered to ensure the community and the suppliers with whom the Council does business understand the risks of Modern Slavery in supply chains and take appropriate action to identify and address those risks.

The Council will ensure that procurement policy is reviewed and revised to include appropriate actions and address the risk of Modern Slavery in its supply chains.

Due diligence should demonstrate the reasonable steps taken to avoid an offence being committed by taking all necessary measures to identify, prevent and mitigate incidences of Modern Slavery and Human Trafficking. The policy requires the Council to commit to supply chain transparency in the services delivered and the goods or services procured by the Council.

To this end, the Council will expect all suppliers to have due regard towards the Modern Slavery Act 2015 and to have their own policy relating to working practices or provide sufficient evidence that their standards are in accordance with the Act, including their own supply chains.

## **5 Procurement**

The Council is committed to improving its practices to combat Modern Slavery and Human Trafficking and take the following actions:

- Consider the harms of modern slavery and trafficking when tendering and awarding contracts and require tenderers to confirm that they are compliant with the Act
- To act within an agreed timescale if there is a concern raised regarding Modern Slavery and Human Trafficking with an existing contract/supplier (including an option to terminate the contract)
- Collaborate with other local authorities to ensure that Modern Slavery and Human Trafficking is tackled in partnership
- Require suppliers bidding for major contracts (£100,000+) to complete the Modern Slavery Assessment Tool
- Commit to act when victims of Modern Slavery and Human Trafficking are identified

## **6 Arun District Council Policy**

The following Arun District Council policies and procedures are key documents to support the requirements of the Modern Slavery Act 2015:

- **Whistleblowing policy**  
The Council has a Whistleblowing policy to encourage and enable employees, elected members, contractors, partners, or members of the public to raise serious concerns with the Council. The purpose of this policy is to make clear that such concerns can be reported without fear of victimisation, discrimination, or disadvantage.
- **Employee code of conduct**  
The Council's Code of Conduct makes it clear to staff that they are expected to provide the highest possible standard of service to the public.
- **Member code of conduct**  
This sets out the general principles of conduct expected of all councillors and specific obligations in relation to standards of conduct.
- **Recruitment policy**  
The Council's recruitment processes include the vetting of new employees which includes confirmation of identity and qualifications. References are sought for all employees and relevant checks carried out, including Disclosure and Barring Service checks for relevant positions.

- **Pay and Reward Policy**  
The Council operates a transparent, consistent, and equitable pay arrangements for its employees. The policy sets out the key principles for establishing pay levels, the basis for determining salaries, pay progression and pay supplements.
- **Equality & Diversity Policy**  
The Council is committed to increasing inclusion and providing equality of opportunity in all its activities and to ensuring that discrimination does not occur at any level.
- **Safeguarding Policy**  
The Council has a comprehensive Safeguarding policy and operating procedures which set out the Council's duty to identify and report potential abuse, including signs of human trafficking and modern slavery.
- **Procurement Policy**  
The Council have a process of properly acquiring the goods, supplies, and services the Council requires in order to operate and fulfil its duties as a local authority.

## **7 Responsibility for the Policy**

The Council's Chief Executive has overall responsibility for ensuring this Policy complies with the Council's legal and ethical obligations, and that all those under the Council's control also comply with the Modern Slavery Act 2015.

The Group Head for Corporate Support has primary and day-to-day responsibility for implementing this policy, monitoring its use and effectiveness, dealing with any queries about it in capacity as a designated point of contact and auditing internal control systems and procedures to ensure they are effective in countering modern slavery

Management at all levels are responsible for ensuring those reporting to them understand and comply with this Policy and are given adequate and regular training on it and the issue of modern slavery in supply chains.

The Council will set out Key Performance Indicators (KPI's) for the number of staff trained and the number of the suppliers contacted in our first year and will review this annually. Training will initially focus on those with procurement responsibility and key operational staff who may come into contact with victims through their dealings with the public.

## **8 Compliance with the Policy**

The prevention, detection and reporting of modern slavery in any part of the Council's business or supply chains is the responsibility of all those working for the Council.

Any Councillor, employee, or person acting on behalf of the Council who suspects a breach of this Policy has occurred, must notify the Chief Executive or relevant Service manager, or report it in accordance with the Council’s Whistleblowing Policy and compliance with the Safeguarding Policy.

**9 Communication and awareness of this Policy**

The Council is committed to addressing the issue of modern slavery in its business and supply chains. This commitment will be communicated to all suppliers, contractors at the outset of its business relationship with them and reinforced as appropriate thereafter.

Training on the risks of modern slavery in supply chains, will be provided in the induction of all new staff who work for the Council and those with procurement responsibility. Bespoke training is provided to staff whose duties are more likely to expose them to the signs or symptoms of modern slavery.

Regular information and updates will be shared with staff and elected members via staff intranet.

It is a statutory duty for the council to upload this statement to the Home Office Modern Slavery registry.

This Transparency Statement and the Anti-Slavery pledge will be published on the Arun District Council website.

**10 Breaches of this Policy**

The Council may terminate our relationship with other individuals and organisations working on our behalf who is in breach this policy.

**11 Approval**

This statement is made under section 54(1) of the Modern Slavery Act 2015 for the financial year ending [31st March 2022].

This statement is approved by the Council’s Corporate Policy and Procurement Committee and will be uploaded to the Home Office registry and subject to an annual review.

**Signed:**

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**Chair of the Policy and Finance Committee**