

Derbyshire County Council

Modern Slavery Transparency Statement 2020/21

Introduction

This statement sets out Derbyshire County Council's actions to understand all potential modern slavery risks related to its business and to put in place steps that are aimed at ensuring that there is no slavery or human trafficking in its own business or its supply chains. This statement relates to actions and activities for the financial year ending 31 March 2021 meeting the requirements of Section 54 of the Modern Slavery Act 2015.

Derbyshire County Council is a key member of the Derby and Derbyshire Modern Slavery Partnership (DDMSP), a multi-agency partnership whose focus is to protect the public by identifying and safeguarding victims and potential victims of modern slavery / human trafficking and by relentlessly targeting those who enable or facilitate this criminality.

The Council is committed to improving its practices to identify and combat this crime. The Council recognises its responsibility to take a robust approach to modern slavery and human trafficking as an employer, commissioner and contractor with other bodies; and acknowledges its duty to notify the Secretary of State of suspected victims of slavery or human trafficking as required by section 52 of the Modern Slavery Act 2015.

The Council is absolutely committed to preventing and taking action against identified slavery and human trafficking in its corporate activities, its supply chains and the wider community, and ensuring these are free from slavery and human trafficking. The Council also notes its responsibility under the National Referral Mechanism (NRM) as a "First Responder".

This statement covers the activities of the Council. The Statement covers direct employees of the Council, agency workers and services delivered on behalf of the Council by third party organisations and in the Council's supply chains.

Organisational Structure and Supply Chains

The Council is a principal local authority for the purposes of the Local Government Association (LGA) 1972. The Council provides a wide range of services to support residents and businesses in Derbyshire to thrive, these services are delivered directly by the Council and through external organisations. The Council has identified five strategic priorities to direct improvement activity over the coming years, these are:

- Value for money
- A prosperous and green Derbyshire
- Empowered and self-sufficient communities
- A focus on prevention and early intervention,
- High performing council services

The Council is currently split into four directorates: Adult Care, Children's Services, Commissioning, Communities and Policy, Economy, Transport and Environment.

The Council has responsibility for providing a wide range of statutory and discretionary services for its residents, businesses, visitors and partners. The Council manages a wide range of services which are delivered directly and through external contractors.

Over 13,000 people work for the Council (excluding schools), with a budget of over £500 million per annum, making it one of the largest employers in Derbyshire. Many jobs range across a number of services, such as:

- social care,
- education,
- children centres and nurseries,
- highways,
- street lighting,
- community safety,
- libraries,
- waste management,
- trading standards,
- economic development,
- tourism,
- countryside parks.

The Council procures goods, services and works from various suppliers and this is governed by its Financial Regulations and Standing Orders.

Countries of operation and supply

Derbyshire County Council only operates within the United Kingdom. Due to the nature of the Council's business, the risk of slavery and human trafficking is considered low, however the Council remains vigilant to any potential risks.

High-risk activities

The Council considers that, due to the nature of its business and the policies/processes (see below) that are in operation, there are no areas of its business that are at high risk of slavery or human trafficking.

Responsibility

Responsibility for the Council's anti-slavery initiatives is as follows:

- Policies: These are developed by officers employed by the Council and are then agreed by the relevant board or committee.
- Risk assessments: These will be undertaken by officers within the relevant service area with support from Human Resources and Procurement / Commissioning Support as required.
- Investigations / due diligence: Any concerns regarding modern slavery or human trafficking should be raised with the Director of Legal and Democratic Services in the first instance.

Relevant Policies

The Council reviews its policies and procedures on an ongoing basis to ensure they remain compliant and fit for purpose. The following policies and procedures are considered key in meeting the requirements of the Modern Slavery Act, whereby preventing slavery and human trafficking in its operations.

Council Plan 2020-21

The Council Plan is a key document that describes the Council's priorities, resources and how progress is monitored. The Plan also shows how we will work more closely with our partners in district, borough and parish councils, the voluntary sector and the health service to ensure we maximise all our resources and provide better joined-up services. The Council has committed to becoming an Enterprising Council, taking forward an ambitious programme of whole Council transformation and cultural change. The One Council approach will ensure we have the necessary plans in place to modernise, innovate, transform and collaborate to meet our ambitions, making identified savings whilst continuing to deliver priorities and achieve better outcomes for local people.

For more information about the Council Plan 2020-21 go to:

- <https://www.derbyshire.gov.uk/site-elements/documents/pdf/council/policies-plans/council-plan/council-plan-2020-to-2021.pdf>

Safeguarding

The Council embraces its responsibility to develop, implement and monitor policies and procedures to safeguard the welfare of children and adults at risk. The Council has a comprehensive Safeguarding Policy which all staff and Elected Members are expected to read and work within. The Council works within multi-agency partnerships to protect and safeguard people. Safeguarding policies and procedures for Adults and Children can be found at:

- Adults: <https://www.derbyshiresab.org.uk/professionals/policies-and-procedures.aspx>
- Childrens: <https://www.ddscp.org.uk/staff-and-volunteers/policies-and-procedures/>

More information about Modern Slavery is also made available in the Derby and Derbyshire Safeguarding Adults Board Practice Guidance, see the weblink below:

<https://www.derbyshiresab.org.uk/site-elements/documents/pdf/derbyshire-and-derby-safeguarding-adults-boards-practice-guidance.pdf>

HR / Employment Policies and Practices

The Council remains highly committed to advancing equality, eradicating unfair treatment, and promoting good relations across and between all our communities. We have clear and rigorous HR policies and procedures and high standards for employees that minimise the risk of any form of modern slavery existing within the organisation.

The Council has procedures and policies in place on all major employment issues – e.g. disciplinary, grievance, harassment and bullying, Code of Conduct, Confidential Reporting Procedures, as well as other policies that support fair treatment of employees including attendance management and ill health capability, performance capability, My Plan, recruitment and selection are available on the Council's website www.derbyshire.gov.uk

Our management guidance supplements the above to make sure the policies are applied consistently and fairly to employees and the service in different circumstances. Policies are constantly reviewed and we endeavour to reissue at least every three years to ensure they are fit for purpose.

Recruitment

The Council's recruitment processes are transparent and reviewed regularly. This includes robust procedures for vetting new employees, which ensures they are able to confirm their identities and qualification (where necessary) and they are paid directly into an appropriate, personal bank account. To comply with the Asylum, Immigration and Nationality Act 2006, all prospective employees are asked to supply evidence of their eligibility to work in the UK. References are also requested and followed up.

Agency Workers

The Council uses only reputable employment agencies to source labour and verifies the practices of any new agency it is using before accepting workers from that agency.

Pay

The Council use a job evaluation scheme, thereby ensuring that all employees are paid fairly and equitably. All new and changed jobs are evaluated by a panel of trained evaluators including trade union representatives.

Employee Code of Conduct

The Council's Code of Conduct for Employees makes clear the actions and behaviours expected of them when representing the Council. The Council strives to maintain the highest standards of employee conduct and ethical behaviour and breaches are investigated. The code also applies to contractors, agency staff, volunteers and those on student / work experience placements working on behalf of the Council.

Confidential Reporting

The Council encourages all its employees, customers and other business partners to report any concerns related to the direct activities or the supply chains of the Council. The Council's procedure is designed to make it easy for employees to make disclosures, without fear of harassment or victimisation.

Procurement Contractors and Service Providers

The Council is committed to ensuring that its contractors adhere to the highest standards of ethics.

The Council Procurement Strategy sets out a clear vision and the key organisational outcomes that implementation of the Strategy is looking to deliver, please refer to: <https://www.derbyshire.gov.uk/business/procurement/procurement.aspx>

The Council expects its providers and suppliers to have safeguarding policies, procedures and training in place. From April 2016, all tender processes require bidders to provide confirmation that they are compliant with the Modern Slavery Act 2015.

Working with Suppliers and Due Diligence

The nature of global supply chains for goods and services is increasing complex. Modern Slavery can be found anywhere in the supply chain, but it tends to be much worse the further down the value chain, where there is little visibility and where the poorest and most vulnerable work.

Human rights due diligence is also a key concept in the UN Guiding Principles' on Business and Human Rights (UNGPs). The UNGPs specify that due diligence processes should "include assessing actual and potential human rights impacts, integrating and acting upon the findings, tracking responses, and communicating how impacts are addressed"¹.

The Council adheres to Section 52 of the Modern Slavery Act - Duty to Notify. Incidents of modern slavery are referred to the police and the Designated Modern Slavery Lead within Community Safety, who also the Council's direct link to Derbyshire Constabulary's Modern Slavery Human Trafficking Unit (MSHTU@Derbyshire.PNN.Police.UK) and the Local Serious and Organised Crime Boards. Derbyshire County Council undertakes due diligence when considering taking on new suppliers.

Up to the 1 January 2021, the Standard Selection Questionnaire is used in tenders above the Official Journal of the European Union (OJEU) limit e.g. circa £189k value and the Questions require a clear declaration of compliance. For Sub OJEU e.g. lower value procurements the questions in the standard Selection Questionnaire can be used as a starting point to develop questions in the tender documents. All forms of Selection Questionnaire used within County Procurement (Government Guidance Procurement and Policy Note 8/16) include the questions in Part 3 Section 7 of the Selection Questionnaire.

In relation to new suppliers, the following question is included in the standard Selection Questionnaire issued as part of the procurement process.

| Section 7 - Modern Slavery Act 2015: Requirement under Modern Slavery Act 2015 | | |
|---|--|---|
| Question No | Question | Response |
| 7.1 | Are you a relevant commercial organisation as defined by section 54 ("Transparency in supply chains etc.") of the Modern Slavery Act 2015 ("the Act")? | Yes ___ N/A ___ |
| 7.2 | If you have answered yes to Question 7.1 are you compliant with the annual reporting requirements contained within Section 54 of the Act 2015? | Yes ___ Please provide the relevant URL to view the statement No ___ Please provide an explanation |

Note: All answers are scored on a PASS / FAIL basis

¹ Home Office – Transparency in Supply Chains: a practical guide (2017) (Updated April 2020)
<https://www.gov.uk/government/publications/transparency-in-supply-chains-a-practical-guide/transparency-in-supply-chains-a-practical-guide#writing-a-slavery-and-human-trafficking-statement>

A copy of the Standard Selection Questionnaire can be found at:
www.derbyshire.gov.uk/site-elements/documents/docx/business/procurement/selection-questionnaire.doc

As Question 7 falls within Supplier Selection Questions - there is instruction to a bidder (Part 3 refers) regarding the applicability of response to consortium members or subcontractors as follows: *“If you are bidding on behalf of a group (consortium) or you intend to use sub-contractors, you should complete all of the selection questions on behalf of the consortium and/or any sub-contractors”*.

Contract reviews are undertaken by individual Contract owners. County Procurement has a regular monthly process of reviewing risks, a detailed checklist for High/Risk High Value Contracts is being developed and will be in place before the end of December 2020.

The Council works to ensure the safeguarding of all vulnerable people and recognises at risk groups including workers in certain occupations such as car washes, care work and large numbers of adults in multiple occupancy domestic properties.

Any investigation and/or victim support in relation to modern slavery is conducted through the Derby and Derbyshire Modern Slavery Partnerships Multi Agency Tactical Response Agreement.

Equality and Diversity

The Councils Equality and Diversity Policy is a declaration of its commitment to making equality an integral part of the Councils business. As a major employer and provider of services we are committed to advancing equality of opportunity and providing fair access and treatment in employment and when delivering services. To support our commitment to equality, we embed equality and diversity into our everyday business. We expect all our Councillors, managers, employees and contractors to treat everyone with dignity and respect and provide the best possible standards of service to all our customers.

Partnerships

Through its Community Safety function, the Council along with Derby City Council leads the Derby & Derbyshire Modern Slavery Partnership. Bringing together public, private and voluntary organisations to disrupt perpetrators and support victims of human trafficking & modern-day slavery in Derby and Derbyshire and further afield. We strive for a community wherein awareness of all forms of human trafficking and modern-day slavery is commonplace and that across all sectors people work collectively to eradicate its existence in our community.

The Council works in partnership with a wide range of agencies to prevent abuse and neglect, to detect and report occurrences and to support victims. This includes the Derbyshire Safeguarding Children and Adults Boards.

Derby and Derbyshire Modern Slavery Partnership

The work of the Derby and Derbyshire Modern Slavery Partnership is driven by a three year Strategy (2019-2022), which focuses on the four strategic themes – Pursue, Prevent, Protect and Prepare and are in line with Government's Modern Slavery Strategy 2015, whereby reducing the threat and vulnerability to victims in Derbyshire.

Reducing Threat

- Prosecuting and disrupting individuals and groups responsible for modern slavery (Pursue / Prevent).

Reducing Vulnerability

- Protecting vulnerable people from exploitation and reducing the harm caused by modern slavery through enhanced support (Protect / Prepare).

The Partnership manages several subgroups to fulfil these strategic themes:

- **Pursue/Prevent** – a tactical and enforcement subgroup which identifies and responds to modern slavery related offences across Derby and Derbyshire. Attendees are made up of First Responders (including the Council) and other organisations with law enforcement powers.
- **Protect (Adults) and Protect (Children)** – Areas of business include working with / for individuals who have entered / existed the NRM and with those individuals where entering the NRM is not an option. The subgroup is made up of a range of First Responders and those agencies with responsibilities to protect Adults and Children e.g. British Red Cross, Barnardo's, Rebuild.
- **Awareness Raising/Training** - this subgroup seeks to improve the understanding of the roles and responsibilities within organisations when dealing with instances of slavery and trafficking; improving public understanding of slavery and trafficking (including the signs to look for); and promoting training within organisations particularly around recognising and responding to slavery and trafficking

The Council is represented by several officers on the subgroups including: Community Safety, Trading Standards, Emergency Planning, Adults Safeguarding, Childrens Safeguarding. The Council has been involved in awareness raising around Modern Slavery through its social media forums such as Twitter, Facebook etc.

Emergency Planning

The Council has a duty to be part of the multi-agency response to the investigations into modern slavery and trafficking by providing assistance to victims (including facilitating and resourcing a place of safety) when they are taken to such a place during these investigations.

Training and Awareness

The Council has a programme of training for all employees. Safeguarding Awareness Training (this is role specific), enables officers in community-facing roles to identify and know how to report incidents of abuse and neglect, including modern slavery and human trafficking. The Councils Community Safety Unit also provides Classroom, E-learning and webinar training on Modern Slavery is available to all employees and partners at: <https://www.saferderbyshire.gov.uk/training-and-resources/courses-and-bookings/modern-slavery-training/modern-slavery-training.aspx>

The training helps delegates gain an increased understanding of what modern slavery is, signs to look out for and develop skills in supporting people who may be victims of modern slavery in Derbyshire. Delegates will gain an understanding of:

- what modern slavery is
- the scale and scope of modern slavery and human trafficking
- where modern slavery happens
- signs to look out for
- how modern slavery affects individuals
- how to raise concerns and gain help for people affected by modern slavery
- the National Referral Mechanism and local procedures

A dedicated page to Modern Slavery is available to on the Safer Derbyshire website <https://www.saferderbyshire.gov.uk/what-we-do/modern-slavery-and-organised-crime/modern-slavery-and-organised-crime.aspx>

The Council recognises that certain employees within the organisation should be required to complete training on modern slavery. To date, this has focussed on customer facing roles. We are currently reviewing training; consideration will be given to prioritising staff responsible for supply chain management, first responders, working in HR and Procurement within the Council to complete training on modern slavery.

Supporting Material / Resources

In addition to the web links highlighted throughout this Statement, the Home Office has a range of documents and promotional material available at <https://www.gov.uk/government/collections/modern-slavery>

Performance indicators

We will know the effectiveness of the steps that we are taking to ensure that slavery and / or human trafficking is not taking place within our business of supply chains through:

- Investigating all allegations, complaints, whistleblowing reports received from employees, the public, or law enforcement agencies regarding modern slavery and human trafficking.
- Undertaking community awareness programme for adults and children.
- Requiring all staff working in supply chain management, first responders, Procurement and HR to have completed training on modern slavery.

- Reviewing and evaluating high risk supply chains, occupations and contracted services as part of on-going contract management activity.

Review and Approval

This statement has been approved by Derbyshire County Councils Director of Community Services. The Statement will be reviewed on a regular basis. Responsibilities for the Statement and Modern Slavery are designated as:

Modern Slavery Transparency Statement: Portfolio Holder for Health and Communities.

- The Portfolio Holder is responsible for the Council's Modern Slavery Statement.

Developing and Updating the Statement: Designated Modern Slavery Lead

- The Designated Modern Slavery Lead within Community Safety, in conjunction with HR, Procurement, Safeguarding and Legal, monitors and updates the Statement in line with national guidelines and organisation development priorities.
- Refreshed versions of the Council's Modern Slavery Statement approved by the Director of Community Services.

Risk Assessments and Prevention: Designated Modern Slavery Lead

- The Designated Modern Slavery Lead within Community Safety is responsible for:
 - working with Team Leaders to identify high risk activities and appropriate actions relating to modern slavery and human trafficking;
 - ensuring appropriate information and training for staff and Councillors;
 - ensuring that this Statement and resulting actions are embedded within the Council's Safeguarding Policies and Procedures and Strategic Plans.

Early Identification and Notification: Team Leaders

- Team Leaders will notify any suspected modern slavery concerns encountered during their work, to the Designated Modern Slavery Lead within Community Safety. They will ensure that they and their staff complete all relevant training.

Identifying and Reporting Concerns: All Staff and Councillors

- As with all safeguarding concerns, all staff and Councillors are required to share these in order that they can be investigated, and action taken as required.

For further information regarding this statement and Derbyshire County Councils work on Modern Slavery, contact: Michelle Collins – Community Safety Manager, Email: michelle.collins@derbyshire.gov.uk Telephone: 01629 538951.

Approved by:

Don Gibbs, Director of Community Services

Dated 22 December 2020