

**DERBYSHIRE COUNTY COUNCIL**

**CABINET**

**05 April 2018**

Report of the Strategic Director Commissioning,  
Communities and Policy

**MODERN SLAVERY TRANSPARENCY STATEMENT  
FOR THE FINANCIAL YEAR 2018-19**

(1) **Purpose of Report** To seek approval from Cabinet to adopt the Derbyshire County Council Modern Slavery Transparency Statement 2018/19.

(2) **Information and Analysis**

**Background**

Section 54 of the Modern Slavery Act 2015 was brought into force in October 2015 and requires commercial organisations with an annual turnover of £36m or more to produce a modern slavery statement for financial years ending on or after 31 March 2016. With no direct guidance for local authorities, many are now choosing to take action to publish modern slavery statements thereby promoting ethical business practices and policies that protect workers from being abused and exploited in their own organisation and supply chains.

In publishing its own modern slavery statement the Council recognises its commitment to understanding the risks presented by slavery and will seek to ensure that there are no victims of modern slavery working within the Council; within the organisations we commission services from or in our supply chains. A draft statement is attached as Appendix A.

The Modern Slavery Act suggests that a modern slavery statement should include information about the following:

- The organisation's structure, its business and supply chains
- Policies and procedures to minimise the risk of modern slavery
- Work with suppliers and due diligence processes in relation to modern slavery
- Measurement and performance indicators
- Training and capacity building about modern slavery

The Government's guidance on producing a modern slavery statement is that it must be approved at the highest level of the organisation and be published on the website with a prominent link to the statement on the homepage.

Organisations required to publish a statement must respond to requests for a written copy within 30 days.

Where an organisation fails to comply with Section 54 then the Secretary of State may seek an injunction through the High Court requiring the organisation to comply.

In addition to the Council's own statement, it will need to retain copies of the statements from our suppliers who are required to publish their own statement e.g. commercial organisations with a total turnover of £36 million per annum. From April 2016, all tender processes require bidders to provide confirmation that they are compliant with the Modern Slavery Act 2015.

### **(3) Equality Considerations**

The implementation of any actions in relation to the Council's adoption of the definition will be developed to be compatible with the requirements of the Equality Act 2010 and our duties within this to promote equality as a public body

### **(4) Social Value Considerations**

Modern Slavery has a devastating impact on victims and their families, this Statement demonstrates the Council's commitment to ensuring that there are no victims of modern slavery employed directly by the Council, or in its commissioned services or supply chains, thus increasing the capacity to reduce victimisation.

### **(5) Background papers**

Held on file within the Commissioning, Communities and Policy Department.  
Officer contact details – Michelle Collins, extension 38951.

### **(6) Other Considerations**

In preparing this report the relevance of the following factors has been considered: prevention of crime and disorder, equality and diversity, human resources, environmental, health, property and transport considerations.

### **(7) Key Decision**

No

### **(8) Call-In**

Is it required that call-in be waived for decision on this report? No.

**(9) Officer Recommendations**

That Cabinet:

Agrees to adopt the Council's Modern Slavery Transparency Statement  
2018/19

**Emma Alexander**  
**Strategic Director for Commissioning, Communities and Policy**

**Derbyshire County Council  
Modern Slavery Transparency Statement  
For the financial year 2018-19**

**Introduction**

This Statement constitutes Derbyshire County Councils actions to ensuring there is no slavery or human trafficking in its own business and its supply chains. This statement is for the financial year commencing the 1 April 2018 to meet the requirements of Section 54 of the Modern Slavery Act 2015.

As part of the public sector and a member of the Derby & Derbyshire Modern Slavery Partnership, 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 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.

This statement covers the activities of Derbyshire County 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.

**Our Structure, our business and our supply chains**

Derbyshire County Council is a principal local authority for the purposes of the Local Government Association (LGA) 1972.

Derbyshire County Council aims to be “An efficient and high performing council, delivering high quality, value for money services”. The Council Plan 2017-2021 advises that by working together with our partners and local communities, we want Derbyshire to have:

- **Resilient and thriving communities** where local people work together, in new and dynamic ways with public services
- **Happy, healthy people and families** with solid networks of support, who feel safe and in control of their personal circumstances and aspirations
- **A strong, diverse and adaptable economy** which makes the most of Derbyshire's rich assets and provides meaningful employment opportunities for local people
- First class public services which enhance the educational, cultural, physical and social environment of Derbyshire and make it **a great place to live, visit and work.**

The Council is currently split into four directorates.

- Adult Care
- Children's Services
- Commissioning, Communities and Policy
- Economy, Transport and Environment

Derbyshire County 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, making it one of the largest employers in Derbyshire. The jobs range across a large number of services such as social care (adults and children), education, children centres and nurseries, highways (roads and footpaths), street lighting, trading standards, community safety, libraries, economic development, tourism, countryside parks, leisure and waste management.

The Council procures goods and services from various suppliers and this is governed by its Financial Regulations and Procurement Strategy.

## **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 to be key in meeting the requirements of the Modern Slavery Act.

### **Council Plan 2017-2021**

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 and parish councils, the voluntary sector and the health service to ensure we maximise all our resources and provide better joined-up services.

For more information about the Council Plan 2017–2021 go to: [www.derbyshire.gov.uk/images/Council%20Plan%202017\\_tcm44-294104.pdf](http://www.derbyshire.gov.uk/images/Council%20Plan%202017_tcm44-294104.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 Councillors are expected to read and work within. The Council works within multi-agency partnerships to protect and safeguard people.

### **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, performance management, recruitment & selection etc.

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 reissued at least every three years to ensure they are fit for purpose.

### **Recruitment**

The Council's recruitment processes are transparent and reviewed regularly. They include robust procedures for vetting new employees, which ensures they are able to confirm their identities and qualifications, 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 expects its key contractors 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.

### **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.

### **Training and Awareness**

The Council has a programme of induction and ongoing mandatory training that all employees must complete, including Safeguarding Awareness Training. This enables officers in community-facing roles to identify and know how to report incidents of abuse and neglect, including modern slavery and human trafficking. E-learning training on Modern Slavery is available to all employees and partners [www.saferderbyshire.gov.uk/training-and-resources/courses-and-bookings/modern-slavery-e-learning/modern-slavery-e-learning.aspx](http://www.saferderbyshire.gov.uk/training-and-resources/courses-and-bookings/modern-slavery-e-learning/modern-slavery-e-learning.aspx) The content includes:

- What modern slavery is
- Risk occupations, environments, sectors and case studies
- How the crime can be identified
- What can be done to flag potential concerns
- How to support potential victims
- Who to speak to for support and guidance
- The National Referral Model and the Duty to Notify

A dedicated page to Modern Slavery is available to all on the Safer Derbyshire website [www.saferderbyshire.gov.uk/what-we-do/modern-slavery-and-organised-crime/modern-slavery-and-organised-crime.aspx](http://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, working in HR and Procurement within the Council to complete training on 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 a number of community awareness programme for adults and children
- Requiring all staff working in supply chain management, 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.

### **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 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"<sup>1</sup>.

Derbyshire County 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 is the Council's direct link to Derbyshire Constabulary Operation Wilberforce and Local Serious and Organised Crime Boards.

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.

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<sup>1</sup> Home Office – Transparency in Supply Chains etc., A practical guide (2017)



## **Review and Approval**

This statement has been approved by the Cabinet. 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.

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 in the course of 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.

Approved by Cabinet on 5 April 2018