

Cabinet

Date of Meeting: 09 October 2018

Report Title: Notice of Motion – Modern Slavery

Portfolio Holder: Councillor Janet Clowes – Adult Social Care

Senior Officer: Mark Palethorpe – Acting Executive Director - People

1. Report Summary

- 1.1** The purpose of this report is to consider and respond to a motion on Modern Slavery which had been moved by Councillor S Corcoran and seconded by Councillor A Harewood at the Council meeting on 26th July 2018 and referred to Cabinet for consideration. The motion is set out in Appendix 1 and requests that the Co-operative Party's Charter against Modern Slavery is adopted to ensure that procurement practices do not support slavery.
- 1.3** This report sets out the approach of Cheshire East Council and the sub region, together with actions in response to the Modern Slavery Act 2015.

2 Recommendations

- 2.1** That Cabinet note that Cheshire East Council has a Social Value Policy and a Sustainability Strategy Statement for Procurement purposes, the principles of which will be embedded into any commissioning and tendering process. These pick up the issue of modern slavery, transparency and equality in supply chains. In addition, the 'Supplier Questionnaire' sent out with tenders, asks specific questions about Modern Slavery and bidders need to confirm that those in control of any organisation have not been convicted of any offences relating to the use of child labour or human trafficking.
- 2.2** That Cabinet note that the Government is reviewing the Modern Slavery Act 2015 and therefore to adopt the Co-operative Party's Charter at this stage would be premature in light of any potential revisions to the Act or related codes or charters.

3 Reasons for Recommendations

- 3.1** Cheshire East Council is the third largest unitary authority in North West England with a population of circa 375,000. The Corporate Plan says as a Council “ we are committed to supporting the most vulnerable residents, whilst enabling others to support themselves. We will empower individuals and communities to thrive independently in a supportive environment, working together with partners, with the voluntary sector, with businesses and most importantly, residents themselves”.
- 3.2** Cheshire East Council is committed to ensuring that its suppliers adhere to the highest standards of ethics and to ensure that suppliers treat workers with dignity and respect and in accordance with the requirements set out in employment legislation. From April 2018, all tender processes have required bidders to provide confirmation that they carry out the entirety of their business in accordance with the Act. In addition, before being added to the finance system, all new suppliers will have provided confirmation of this commitment. The Council will build clauses regarding modern slavery into all new contracts, allowing for the termination of the contract if these clauses are breached.
- 3.3** The Trading Standards Service and Safeguarding Boards for Adults and Children have adopted the Modern Slavery Implementation Plan, putting that agenda at the forefront of their operations.
- 3.4** Cheshire East Council is signed up to, and adheres to, the principles of the PAN Cheshire Modern Slavery Strategy and this can be found in Appendix 2.

4 Other Options Considered

- 4.1** None considered.

5 Background

- 5.1** As a Local Government Authority, the Council recognises that it has a responsibility to take a robust approach to slavery and human trafficking. In addition to the Council’s responsibility as an employer, it also acknowledges its duty to notify the Secretary of State of suspected victims of slavery or human trafficking as introduced by section 52 of the Modern Slavery Act.

5.2 Modern slavery includes:

- **Forced labour:** Victims are forced to work against their will, often working very long hours for little or no pay in dire conditions under verbal or physical threats of violence.
- **Debt bondage:** Victims are forced to work to pay off debts that realistically they never will be able to repay.
- **Sexual exploitation:** Victims are forced to perform non-consensual or abusive sexual acts against their will, such as prostitution, escort work and pornography. Adults are coerced often under the threat of force, or another penalty.
- **Criminal exploitation:** Often controlled and maltreated, victims are forced into crimes such as cannabis cultivation or pick pocketing against their will.
- **Domestic servitude:** Victims are forced to carry out housework and domestic chores in private households with little or no pay, restricted movement, very limited or no free time and minimal privacy often sleeping where they work.

6 Implications of the Recommendations

6.1 Legal Implications

There are no legal implications arising directly from the recommendations made in respect of the Notice of Motion.

6.2 Finance Implications

There are no financial implications arising directly from the recommendations made in respect of the Notice of Motion.

6.3 Policy Implications

6.3.1 Supply chains

Whilst a high proportion of suppliers have a presence within Cheshire East, the Council's supply chains stretch across the world. Raw materials and components can come from sources anywhere in the world and there may be many links in the supply chain which could be involved in modern slavery. Cheshire East Council has limited resources and it is not practically possible to monitor and manage the whole supply chain. Therefore, it will concentrate on the immediate supplier to ensure that their supply chain is free from modern slavery as defined in the Act.

Cheshire East Council has a Social Value Policy and a Sustainability Strategy Statement for Procurement purposes, the principles of which can

be embedded into any Commissioning and Tendering processes. These pick up the issue of modern slavery, transparency and equality in supply chains. In addition the Supplier Questionnaire, sent out with tenders, asks specific questions about modern slavery, and bidders need to confirm that those in control of any organisation have not been convicted or have any offences relating to the abuse of children.

6.4 Equality Implications

6.4.1 Valuing diversity, equality fair treatment and social inclusion lie at the heart of the drive to prevent modern slavery and improve the quality of services.

6.5 Human Resources Implications

6.5.1 Recruitment

The Council's recruitment processes are transparent and reviewed regularly. They include robust procedures for vetting new employees. 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.

6.6 Risk Management Implications

6.6.1 Modern slavery is a hidden and greatly under-reported crime. The overwhelming majority of victims are extremely vulnerable, scared and feel powerless to speak out. There is a risk that unless members of the community speak out to identify this crime this level of under-reporting will only increase.

6.7 Rural Communities Implications

6.7.1 Modern Slavery could be taking place across all communities both rural and urban.

6.8 Implications for Children & Young People

6.8.1 This statement and report applies to children and young people.

6.9 Public Health Implications

6.9.1 Modern Slavery has a range of serious health consequences at an individual and population level, particularly as a result of the impact on physical and especially mental health. Modern slavery causes extreme health inequalities and disproportionately affects people in more vulnerable circumstances, such as children and young people and people living in poverty. Survivors can experience unmet health need and poor access to health services.

7 Contact Information

Any questions relating to this report should be directed to the following officer:

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Attachments:

Appendix 1: Notice of Motion.

Appendix 2: PAN Cheshire Modern Slavery Strategy 2017/2019