

## Report to Cabinet

**Subject:** Modern Slavery and Human Trafficking

**Date:** 31 January 2024

**Author:** Chief Executive

### Wards Affected

Borough-wide.

### Purpose

To seek Cabinet approval of the Modern Slavery and Human Trafficking Statement 2022/23, including the associated commitments to practical action; and to approve a new Modern Slavery and Human Trafficking Policy (2024-2027).

### Key Decision

This is not a key decision.

### Recommendation

#### THAT CABINET:

1. Approves the Modern Slavery and Human Trafficking Statement 2022/23.
2. Approves the Modern Slavery and Human Trafficking Policy (2024-2027).

## 1 Background

1.1 Modern Slavery is an umbrella term encompassing slavery, servitude, forced work and human trafficking. They are defined as:

**Slavery** – people are forced to work through mental or physical threat; owned or controlled by an ‘employer’, usually through mental or physical abuse or the threat of abuse; dehumanised, treated as a commodity or bought and sold as ‘property’; physically constrained or have restrictions placed on their freedom.

**Servitude** – similar to slavery in that a person is under an obligation to provide a service which is imposed on them, but there is no element of ownership.

**Forced Work** – defined as ‘work or service which is exacted from any person under the menace of any penalty and for which the person has not offered him/herself voluntary’.

**Human Trafficking** – when men, women and children are moved and forced into exploitation. A person is a victim of human trafficking even if they haven't yet been exploited but have been moved for the purposes of exploitation.

1.2 There are a number of different types of exploitation that victims of Modern Slavery may be subjected to, and victims may experience more than one type of exploitation at the same time. The most common forms of exploitation are:

- **Sexual exploitation** – forced into prostitution, pornography or lap dancing for little or no pay. They may be deprived of their freedom of movement and subjected to threats and violence.
- **Labour exploitation** – a victim is made to work for little or no pay, and may face violence or threats. If they are foreign nationals, their passports may be confiscated by their exploiters and they may be made to live in terrible conditions and under constant threat.
- **Forced criminality** – victims can be forced to participate in a range of illegal activities including pick pocketing, shop lifting, cannabis cultivation, county lines exploitation (drugs) and other activities. Note – the Modern Slavery Act provides a defence for victims who have been forced into criminality.
- **Organ harvesting** – victims are trafficked in order for their internal organs (typically kidneys or liver) to be harvested for transplant.
- **Domestic servitude** – victims work in a household where they may be ill-treated, humiliated, subjected to exhausting hours, forced to work and live under unbearable conditions or forced to work for little or no pay.

1.3 During 2022 (January – December) in the UK, 16,938 potential victims of Modern Slavery were referred to the Home Office via the National Referral Mechanism (NRM), which is used to identify and support victims of Modern Slavery. This represented a 33% increase on 2021 figures (12,727). It is more likely to be found in industries where there is high demand and low paid work. As an example, and not an exhaustive list, Modern Slavery has been found in the following industries: farming (fruit, vegetable and flower picking), HGV driving, care homes, hotels, nail bars, car washes, charity bag collection, domestic servants, fishing, tarmacking and paving, restaurants and takeaways).

1.4 Whilst it is possible for anyone to become a victim of Modern Slavery, the following groups are more at risk: young people, women and girls, homeless people, people who can speak little or no English, asylum seekers and refugees, people with learning difficulties, people with mental health problems.

#### 1.5 Modern Slavery Act 2015

In March 2015, the Government enacted the Modern Slavery Act 2015 which:

- consolidated and clarified existing Modern Slavery and Human Trafficking offences and increased the maximum sentences for committing these offences;

- introduced slavery and trafficking Prevention Orders and slavery and trafficking Risk Orders, which can be used to disrupt activities by Modern Slavery perpetrators;
- created the role of the Independent Anti-Slavery Commissioner;
- introduced support and protection for victims;
- introduced a requirement for certain businesses to produce and publish a Modern Slavery Statement on what they are doing to tackle Modern Slavery and Human Trafficking in their supply chains.

1.6 The Act includes a number of provisions for local authorities. Firstly, a duty to identify and refer Modern Slavery child victims and consenting adults through the NRM. Secondly, a duty to notify the Home Secretary of adults who do not consent to enter the NRM. Thirdly, a duty to cooperate with the Independent Anti-Slavery Commissioner.

1.7 All commercial organisations turning over in excess of £36 million annually, are also required to report their efforts to identify, prevent and mitigate the risk of Modern Slavery in their commercial operations by publishing an annual Modern Slavery and Human Trafficking Statement.

#### 1.8 Local Authorities

While the public sector was largely overlooked in the 2015 Act, in April 2017 the Parliament's Joint Committee on Human Rights recommended that *"If the Government expects business to take human rights issues in their supply chains seriously, it must demonstrate at least the same level of commitment in its own procurement supply chains"*. The same can be said of local authorities i.e. that they have a responsibility to ensure that the risks of Modern Slavery within their supply chains are understood and that they are demonstrating community leadership in promoting a human rights approach towards procurement.

1.9 Putting this into context, local authorities have four distinct roles to play:

- Identification and referral of victims;
- Supporting victims, for example, through safeguarding children and adults with care and support needs and through housing/homelessness services;
- Community safety services and disruption activities;
- Ensuring that supply chains that local authorities procure from are free from Modern Slavery.

1.10 Gedling is already actively involved in tackling Modern Slavery in a number of ways. Gedling's former Member of Parliament, Lord Vernon Coaker, works for the University of Nottingham's Rights Lab as part of their Law and Policy Programme on Modern Slavery and local, regional, national and international policy; and the Chief Executive chairs the Nottingham and Nottinghamshire Modern Slavery Partnership. Key members of staff have been trained by the external organisation 'Hope for Justice', and Modern Slavery has featured in Staff Briefings which raised staff awareness of

the signs to look out for which may indicate an individual is enslaved and how to report any concerns. The Council also has a Corporate Safeguarding Group which includes modern slavery as part of its agenda, and the Council's contracts and procurement documents contain clauses in respect of compliance with the Modern Slavery Act 2015.

- 1.11 The previous Modern Slavery Policy dated June 2018 has been reviewed, and a new Modern Slavery and Human Trafficking Policy (2024 – 2027) is attached for approval.

## **2 Proposal**

- 2.1 In line with the Act and the recommendation from the Joint Committee on Human Rights, Cabinet is asked to approve the Modern Slavery and Human Trafficking Statement for 2022/23. Cabinet is also asked to approve a new Modern Slavery and Human Trafficking Policy 2024-2027.

## **3 Alternative Options**

- 3.1 Members could choose not to approve the Modern Slavery and Human Trafficking Statement 2022/23 and the new Policy 2024-2027 or approve different versions. However, the documents have been prepared in order to set out the current and ongoing action the Council intends to take to demonstrate its commitment to tackling this issue in a clear and concise way.
- 3.2 Whilst the Council could take a less proactive approach than set out in the documents, this would not demonstrate the Council's ambition and commitment to tackle and prevent Modern Slavery issues in the Borough, the County and in its own supply chains.

## **4 Financial Implications**

- 4.1 There are no financial implications arising from this report.

## **5 Legal Implications**

- 5.1 Whilst local authorities are not required as a commercial organisation to publish a Modern Slavery and Human Trafficking Statement unless their turnover exceeds the annual threshold, it is considered best practice.

## **6 Equalities Implications**

- 6.1 The equalities implications are set out within this report.

## **7 Carbon Reduction/Sustainability Implications**

7.1 There are no carbon reduction/sustainability implications arising out of this report.

## **8 Appendices**

8.1 Appendix 1: Modern Slavery and Human Trafficking Statement 2022/23.

Appendix 2: Modern Slavery and Human Trafficking Policy (2024-2027).

## **9 Background Papers**

9.1 LGA publication 2017: Tackling Modern Slavery – A Council Guide.

9.2 GBC Modern Slavery Policy - June 2018

## **10 Reasons for Recommendations**

10.1 To lead by example and to take a proactive role in ensuring that there is no slavery or human trafficking in our own business and our supply chains.