

Crawley Borough Council

Consideration Report for Delegated Decision by Leader of the Council

Expected Date of Decision 2 April 2024

Modern Slavery and Human Trafficking Annual Statement: 2024/2025

Report of the Head of Corporate Finance FIN/656

1. Purpose

- 1.1. The purpose of the report is to seek approval of the latest Modern Slavery and Human Trafficking Statement detailing our commitment to tackling this issue within our business activity and supply chain.

2. Recommendation

- 2.1. That the Leader of the Council in consultation with the Head of Governance, People & Performance; Head of Community Services and Head of Corporate Finance:

Approve the Modern Slavery and Human Trafficking Annual Statement for April 2024 to end March 2025 (attached as Appendix A to this report).

3. Reasons for the Recommendation

- 3.1 The adoption and publication of a Modern Slavery and Human Trafficking Statement is considered best practice and is likely to become a statutory requirement in the future.
- 3.2 A report was taken to Cabinet on 12 January 2022 (FIN/539) which approved that the Leader of the Council would be delegated authority to approve minor amendments to the Statement and approve subsequent annual Statements for publication, in consultation with the Head of Legal, Governance and HR (now known as the Head of Governance, People & Performance), Head of Community Services and Head of Corporate Finance to approve minor amendments.
- 3.3 The approval of the Statement shows the commitment of Crawley Borough Council to tackle modern day slavery in the community and its supply chains, it also supports the principles set out in the Social Value Charter which is used within our procurement processes.

4. Background

- 4.1. The Modern Slavery Act 2015 applies to England and Wales and includes the offences of human trafficking and slavery, servitude and forced or compulsory labour. The Act consolidated and simplified existing offences and establishes a legal duty under Section 52 for public authorities to notify the Home Office where there are reasonable grounds to believe a person may be a victim of modern slavery.

- 4.2. In 2015, the Home Office estimated that 13,000 people were subject to modern slavery in the United Kingdom, although the National Crime Agency estimated that the true figure is likely to be in the 'tens of thousands', with recent research by the Centre for Social Justice (CSJ) and Justice in Care in 2020, estimating there are at least 100,000 victims. Due to modern slavery being a 'hidden' crime along with barriers for victims to come forward and the systems used to record cases at a local and national level it is difficult to provide exact data and the number of cases is expected to be significantly higher. In the last 12 months Sussex Police have recorded 195 crimes of Modern Slavery, which includes trafficking.
- 4.3. Many local cases involving young people occur through criminal exploitation and 'county lines' where local children are made to travel to other boroughs and counties to sell drugs. There are also cases of forced labour where individuals are made to work for little or no pay in various industries including construction sites, hospitality, cleaning services and the beauty industry.
- 4.4. Section 54 of the Modern Slavery Act states that every commercial organisation in the UK with a total annual turnover of £36m or more must produce a Modern Slavery and Human Trafficking Transparency Statement annually. Whilst this is not currently a mandatory requirement for local authorities many are doing so on a voluntary basis to demonstrate their commitment to tackling this issue.
- 4.5. Currently the Statement must include "the steps the organisation is taking to ensure that slavery and human trafficking is not taking place in any of its supply chains, and in any part of its own business". The Act states that the Statement should include information about:
 - i. The organisation's structure
 - ii. Its policies in relation to slavery and human trafficking
 - iii. Its due diligence processes in its business and supply chains
 - iv. The training that has taken place and is available to staff
- 4.6. Appendix A contains the proposed Modern Slavery Statement for the Council. It covers the period from April 2024 to end March 2025 when the Statement will need to be reviewed and updated which must include progress on what actions have been taken.
- 4.7. Current guidance advises that the Statement must be approved and signed annually by executive leaders prior to publishing. This Statement will therefore be updated annually for approval as per Recommendation 2.1 before being signed by the Leader and Chief Executive and published.
- 4.8. The Statement has been drafted in association with the Community Services department who work with partner organisations to tackle this issue within the community. The process has involved working with colleagues across Horsham District Council, Mid Sussex District Council and Mole Valley District Council who form part of the Shared Procurement Service. Best practice guidance was also used to inform the development of the Statement.

5. Description of Issue to be Resolved

- 5.1. By producing the Modern Slavery Statement it is hoped that there is greater transparency and awareness of modern slavery and human trafficking and the actions the Council is taking to eradicate it.
- 5.2. Producing a Statement gives a clear message to our supply chain of the importance of tackling this issue and our expectations of them to do the same.

6. Information & Analysis Supporting Recommendation

- 6.1. Modern Slavery is happening within the UK and within West Sussex. The Council has a duty to ensure that we safeguard our communities. By producing a Modern Slavery Statement and implementing its actions we can raise awareness of this crime and ensure that mitigating actions are taken to minimise the risks.
- 6.2. The Statement also supports the Council's corporate priority to "create stronger communities", it also supports the Council's Social Value Charter ambitions to work with suppliers who are responsible and ethical employers.

7. Implications

- 7.1. There are no financial implications. There will be some resource implications on the delivery of the action plan, including providing appropriate training to staff and ensuring through contract management that we are monitoring the actions our suppliers are taking. The responsibility for taking forward the actions will sit with the Procurement team who will work closely with Community Services.
- 7.2. Section 54 of the Modern Slavery Act requires 'commercial organisations' to prepare a Slavery and Human Trafficking Statement for each financial year. It is not, as yet, a statutory requirement for the Council because we are not a commercial organisation, however it is regarded as industry good practice. Parliament is currently considering a change to legislation and it is thought this will become a statutory requirement for local authorities when this happens.

8. Background Papers

[FIN/539 Modern Slavery and Human Trafficking Report](#)

[Procurement Code](#)

[Social Value Charter](#)

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Modern Slavery and Human Trafficking Transparency Statement – 2024 / 2025

Introduction

Modern slavery is a global problem and international crime, affecting millions of people worldwide, including many victims within the UK. Men, women and children of all ages and backgrounds can fall victim to human trafficking. Victims can be controlled by force, threats, coercion, abduction, fraud and deception.

Crawley Borough Council is a local authority which provides a wide range of services alongside partners, to the local community. We are making a clear commitment to tackle modern slavery by signing up to this Modern Slavery and Human Trafficking Transparency Statement.

The Modern Slavery Act 2015 places specific responsibilities on organisations to ensure slavery and human trafficking does not exist within its supply chain or in any part of its own business. The term 'modern slavery' captures a whole range of exploitation which includes:

- **Sexual exploitation:** this includes sexual abuse, forced prostitution and the abuse of children in order to produce child abuse images or videos
- **Domestic servitude:** this involves victims being forced to work in usually private households, performing domestic chores and childcare duties
- **Forced labour:** this can happen in various industries, including construction, manufacturing, laying driveways, hospitality, food packaging, agriculture, maritime and beauty (nail bars)
- **Bonded labour:** this includes descendant slavery when people give themselves into slavery as security against a loan or when they inherit a debt from a relative
- **Criminal exploitation:** this can be understood as the exploitation of a person to commit a crime, such as pick-pocketing, shoplifting, cannabis cultivation, drug trafficking and other similar activities that are subject to penalties and imply financial gain for the trafficker

- **Human Trafficking:** this requires that a person arranges or facilitates the travel of another person with a view to that person being exploited. The offence can be committed even where the victim consents to the travel. This reflects the fact that a victim may be deceived by the promise of a better life or job or may be a child who is influenced to travel by an adult.;
- Other forms of exploitation include organ removal, forced begging, forced benefit fraud, forced marriage and illegal adoption.

Our responsibilities

The abuse of human rights in our supply chains through modern slavery is gaining greater awareness. The Council has a responsibility to prevent slavery and human trafficking within our supply chain and in any part of the organisation. It expects the same high standards from all of our contractors, suppliers and other business partners.

This Statement sets out the Council's actions and commitments to understand all potential modern slavery risks related to our activities and to put in place steps to combat and prevent acts of slavery and human trafficking within our business and supply chains. It applies to everyone working for the Council or on our behalf in any capacity. The Council's Corporate Management Team has overall responsibility for ensuring this Statement complies with our legal and ethical obligations, and that all those under the Council's control comply with it.

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

Our Policies

The Council has a number of internal policies that help to ensure we are conducting business in an ethical and transparent manner and support compliance with Modern Slavery Act. These include;

- Procurement Code and wider Public Contract Regulations 2015
- Code of Conduct
- Equality, Diversity, and Inclusion Policy
- Safeguarding Policy
- Whistle-blowing policy

Due Diligence and Supply Chain Management

The Shared Procurement Service, who deal with most contracts worth £50,000 or more, take the lead on tackling modern slavery within our supply chains, and work in conjunction with stakeholder departments who may face the greatest risk of procuring goods, services or works associated with this crime. Staff are trained to ensure they are aware of the risks and issues and how to mitigate these in the procurement process.

The Council expects all suppliers regardless of size to actively work towards mitigating the risk of modern slavery within their organisations and its supply chain and may request evidence to demonstrate steps taken. In addition, the Shared Procurement Service has processes and due diligence mechanisms in place to ensure that modern slavery is tackled by its supply chain.

What the council has done

Since we published our first statement in 2022, the council has undertaken the following to meet its commitment to tackle modern slavery:

- Provided training and guidance on contract management incorporating potential modern slavery risks to staff responsible for managing contracts.
- Ensured that all staff in the shared procurement service have had training in modern slavery incorporating recognising the signs in spotting it and how to incorporate it in procurements;
- Ensured that suppliers tendering with the council complete a self- declaration document to say that they have met the requirements of the Modern Slavery Act
- Assessed recruitment policies and procedures for above threshold or higher risk contracts as appropriate.
- Identified key contracts where modern slavery risks are more likely to occur.
- Worked with Police, Home Office and other relevant partners where there has been concerns around modern slavery;
- Incorporated modern slavery in our safeguarding training to all frontline staff;
- Arranged specific modern slavery training for staff covering what constitutes modern slavery, how to spot the signs and action to be taken to report concerns or suspicions;
- Arranged specific training for staff around county lines and exploitation;
- Promoted and made available on our intranet the Home Office e-learning modules on First Responder Training and Child Victims of Modern Slavery Training;

Our commitment for the next year

- We will disclose identified instances of modern slavery and continue to work with Police, Home Office, West Sussex County Council, Gangmasters and Labour Abuse Authority and other relevant authorities as appropriate where there are slavery concerns;
- We will notify the Secretary of State of suspected victims of slavery or human trafficking under Sections 43, 52 and 54 of the Modern Slavery Act 2015

- We will ensure relevant staff have access to and are completing mandatory training which supports the Modern Slavery Act
- We will continue to encourage the reporting of suspicions of slavery through the Council's Modern Slavery Single Point of Contact (SPOC). For Crawley Borough Council this is the Community Safety Officer.
- We will ensure that modern slavery considerations are incorporated in any relevant new or updated council policies;
- We will continue to monitor our supply chains and report on any issues identified through non-compliance or insufficient information provided;
- We will continue to ensure that any supplier that wishes to tender for Council contracts must provide evidence that they have met the requirements of the Modern Slavery Act 2015 to be able to bid. This is included in the council's standard template documentation. Any supplier who fails to evidence their compliance shall be excluded from participating further in the tender process.
- As part of our contract management processes, we will continue to undertake annual gathering and reviewing of Modern Slavery Statements for all suppliers with an annual turnover of £36m and over.
- We will continue to include clauses in our standard contract terms that specify the supplier's contractual obligation concerning modern slavery.
- For all Above Threshold contracts (currently £213,447 inclusive of VAT) or contracts where we believe there are likely to be greater supply chain risks, we will continue to assess suppliers' recruitment policies and procedures to ensure that they are minimising the risk of modern slavery in their organisation.
- The Shared Procurement Service will continue to undertake an annual risk assessment of its supply chain to identify high risk areas and will continue to deliver training and guidance to contract managers to highlight the potential modern slavery risks.
- We will include refresher modern slavery training as part of the roll-out of the Procurement Act 2023.

Declaration

This Statement is made under Section 54(1) of the Modern Slavery Act 2015 for the financial year ending 31 March 2024. It is approved by the Council's Corporate Management Team and Cabinet and will be subject to review on an annual basis.

Signed:
Leader of the Council, Crawley Borough Council

Signed:
Chief Executive, Crawley Borough Council