

CABINET	AGENDA ITEM No. 8
25 SEPTEMBER 2017	PUBLIC REPORT

Cabinet Member(s) responsible:	Councillor Irene Walsh, Cabinet Member for Communities	
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MODERN SLAVERY ACT

R E C O M M E N D A T I O N S	
FROM : Stephen Gerrard, Interim Director of Law and Governance	Deadline date : N/A
Cabinet is recommended to approve the draft 2016/17 Modern Slavery Act Transparency Statement for signature and publication.	

1. ORIGIN OF REPORT

1.1 This report is submitted to Cabinet as recommended by CMT on 18th January 2017.

2. PURPOSE AND REASON FOR REPORT

2.1 The purpose of this report is for Cabinet to consider and approve the draft 2016/17 Modern Slavery Act Transparency Statement in order to meet the Council's statutory obligations under the Modern Slavery Act 2015 ("MSA").

2.2 This report is for Cabinet to consider under its Terms of Reference No. 3.2.4, 'To promote the Council's corporate and key strategies and Peterborough's Community Strategy and approve strategies and cross-cutting programmes not included within the Council's major policy and budget framework.'

3. TIMESCALE

Is this a Major Policy Item/Statutory Plan?	NO	If Yes, date for relevant Cabinet Meeting	N/A
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4. OVERVIEW

Background

4.1 'Modern slavery' is the term used to encapsulate the two offences in the MSA: slavery, servitude and forced or compulsory labour; and human trafficking.

4.2 Section 54 applies to 'commercial organisations' which are defined as bodies corporate or partnerships that:

- Supply goods or services; and
- Have a total turnover of £36m a year or more.

4.3 Where the threshold is met an organisation is required to prepare and publish a '*Slavery and Human Trafficking Statement*' as soon as reasonably practicable at the end of each financial year.

- 4.4 Whilst there has been some debate, it is now commonly accepted that public bodies fall within the definition of a body corporate (insofar as they are established under statute or by Royal Charter). Further, it is anticipated any ongoing ambiguity will shortly be resolved by the Modern Slavery (Transparency in Supply Chains) Bill 2017 (“the Bill”) which had its first reading in the House of Lords on 12th July and proposes the addition of the words ‘or public authority’ after reference to commercial organisations in s.54 of the Act.
- 4.5 As the Council meets the definition of a commercial organisation for these purposes, its first Statement relating to the 2015/16 financial year was published following Cabinet’s approval on 27th February this year.
- 4.6 Under the Act, organisations meeting the threshold must publish an updated Statement year on year and the proposed draft Statement for 2016/17 will meet that requirement.

Progress to date

- 4.7 The actions identified in the draft Statement demonstrate the Council’s ongoing commitment to taking a robust approach in the prevention of slavery and human trafficking in its corporate activities and supply chains.
- 4.8 During the last financial year, the following actions were taken:
- Updating services agreements used by the Contracts and Procurement Team (Legal Services) to include warranties from the supplier that (i) neither they or their employees have been convicted of any MSA offences involving slavery or are the subject of a related investigation, (ii) they will comply with the MSA and all applicable anti-slavery and human trafficking laws (iii) they will include equivalent warranties in their contract with sub-contractors and (iv) the supplier will implement due diligence procedures for its subcontractors and suppliers to ensure there is no slavery/trafficking in the relevant supply chain.
 - Working with colleagues within Serco Procurement to ensure the equivalent warranties are included in service agreements overseen by them. A shortened form of the warranties have also been included in the standard PO used by Serco for low value contracts, as the supply chain issues remain the same.
 - Ongoing development of a Policy, training module and dedicated webpage.

Continued Commitment

- 4.9 The 2016/17 Statement sets out the further steps that will be taken in the current financial year to meet the Council’s ongoing commitment in tackling modern slavery.
- 4.10 The Modern Slavery group continues to meet periodically and its focus has been extended to consolidate the Council’s requirements under the MSA with its wider statutory obligations and community engagement.

5. REASONS FOR RECOMMENDATIONS

- 5.1 The draft Modern Slavery Act Transparency Statement fulfils the council’s statutory obligations under the Modern Slavery Act 2015 and it is therefore recommended to Cabinet for approval.

6. ALTERNATIVE OPTIONS CONSIDERED

- 6.1 Not to approve the draft Modern Slavery Act Transparency Statement. This option is not recommended as the Council will not be able to meet its statutory requirements.

7. IMPLICATIONS

- 7.1 The draft Modern Slavery Act Transparency Statement aims to ensure compliance with the statutory requirements of the Modern Slavery Act 2015.

8. BACKGROUND DOCUMENTS

- 8.1 None.

9. APPENDICES

- 9.1 Appendix 1 Modern Slavery Act Transparency Statement 2016/17

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