

## Supporting Information and Impact Assessment

Service / Policy:	Human Resources, Community Safety and Procurement
Executive Lead:	Cllr Derek Mills
Director / Assistant Director:	Anne-Marie Bond and Fran Hughes

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Section 1: Background Information	
1.	<p><b>What is the proposal / issue?</b></p> <p>The Modern Slavery Act 2015 places a duty and obligation on certain organisations to produce a public statement setting out the steps they have taken to ensure there is no modern slavery in their own business and their supply chains.</p> <p>Organisations are required to comply if they:-</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Are a body corporate or a partnership;</li> <li><input type="checkbox"/> Carry on a business, or part of a business in the UK;</li> <li><input type="checkbox"/> Supply goods or services; and</li> <li><input type="checkbox"/> Have an annual turnover of £36m or more.</li> </ul> <p>In addition to the new slavery law, there is also the issue of Organised Crime which has the potential to impact on a wide range of statutory and non statutory organisations.</p> <p>The Community Safety Partnership (CSP) has received an Organised Crime Local Profile (OCLP) on Modern Slavery and is soon to receive a further profile on Child Sexual Exploitation.</p> <p>OCLPs are produced by the police (at the request of the Home Office) and are the responsibility of the Police and Crime Commissioner (PCC). Many PCCs throughout the UK have chosen to utilise CSPs as the local delivery mechanisms for reviewing OCLPs and co-ordinating local action.</p> <p>OCLPs will be produced covering a range of issues including cyber crime and fraud.</p> <p><b>See Appendix 3 – Tackling Serious and Organised Crime – A Summary</b>  <b>See Appendix 4 – Tackling SOC – Key Questions for Consideration</b></p>

<p><b>2.</b></p>	<p><b>What is the current situation?</b></p> <p>The local authority's annual turnover is in excess of the threshold and therefore it is legally required to publish a statement under the Modern Slavery Act.</p> <p>There are also legal recommendations in regard to how organisations must raise awareness of Modern Slavery and the duty to report any suspected cases extend to <b>all</b> organisational policies and practice.</p> <p>The Authority has a duty to carry out appropriate due diligence checks on suppliers and their supply chains to ensure they are slavery free. Crown Commercial Service is in the process of updating the national standard Pre-Qualification Questionnaire to include a question relating to convictions for slavery offences. However, this only requires suppliers to declare any convictions and does not cover what suppliers are doing to ensure they and their suppliers are slavery free.</p> <p>A review of all organisational information, policies and procedures will be required to ensure compliance with the Act. Specific actions will relate to the following areas - HR, Safer Communities, Procurement, Children's and Adult's Safeguarding. All other services/departments will need to undertake a review of their policies and practices to ensure that they are compliant and include reference to the Act where appropriate.</p> <p>Training is in place for Community Safety staff but consideration should also be given as to whether this could be included in the existing Safeguarding module on iLearn and/or whether additional face-to-face training is provided for all staff.</p> <p>In terms of partnership work, the CSP has never received an OCLP and the issue of Modern Slavery is relatively an 'unknown quantity' in Torbay. This year the Chief Constable co-ordinated a joint Modern Slavery conference with our local authority and Devon County Council to raise the profile of the issue and encourage co-ordinated local action.</p>
<p><b>3.</b></p>	<p><b>What options have been considered?</b></p> <p>NA – the CSP must consider the OCLP.</p> <p>As this is a legal requirement for the local authority, there are no options to consider.</p>
<p><b>4.</b></p>	<p><b>How does this proposal support the ambitions and principles of the Corporate Plan 2015-19?</b></p> <p>This activity supports the principles of the corporate plan to safeguard adults and children and ensure Torbay remains a safe place for residents and visitors.</p>

<p><b>5.</b></p>	<p><b>Who will be affected by this proposal and who do you need to consult with?</b></p> <p>The public, stakeholders, Elected Members, members of the partnership, adults and children’s safeguarding boards and the Health and Wellbeing Board will need to understand the contents of the OCLP and support the development of a co-ordinated local action plan in response.</p> <p>Council and partner employees – communications/awareness raising and training required.</p>
<p><b>6.</b></p>	<p><b>How will you propose to consult?</b></p> <p>The OCLP is not a public document but will need to be circulated to a wide range of partners and external stakeholders including the third sector. This activity will be co-ordinated by the CSP.</p> <p>Consultation with local authority employees will be via the Torbay JCC. Employees of other agencies/organisations will be via partnership board meetings, as appropriate.</p>

**Section 2: Implications and Impact Assessment**

<p><b>7.</b></p>	<p><b>What are the financial and legal implications?</b></p> <p>Non-compliance with the Modern Slavery Act could result in a High Court injunction to comply and/or an unlimited fine.</p> <p>The local authority also has statutory duties relating to Serious and Organised Crime and Section 17 of the Crime and Disorder Act and a duty to ensure that crime and community safety is considered in all its decisions.</p>
<p><b>8.</b></p>	<p><b>What are the risks?</b></p> <p>The authority must be confident in its ability to respond to Modern Slavery. Failure to respond appropriately could result in the authority facing challenge, negative publicity and scrutiny.</p> <p>The authority must also be confident that it has sufficient polices/processes/systems in place to safeguard against the corruption of its staff into serious and organised crime.</p> <p><b>See Appendix 5 – Tackling Serious Crime - Threat Summary</b></p>

<p>9.</p>	<p><b>Public Services Value (Social Value) Act 2012</b></p> <p>The authority must be satisfied that its procurement processes reflect Modern Slavery and liaison has commenced with the corporate procurement team.</p>
<p>10.</p>	<p><b>What evidence / data / research have you gathered in relation to this proposal?</b></p> <p>The primary document for consideration at this stage is the OCLP itself which displays data relating to the possible scale of Modern Slavery within Torbay. The document identifies risk factors and makes recommendations as to how locally those risks could/should be mitigated.</p> <p><b>See Appendix 6 - The Government’s Guidance – “Transparency in Supply Chains – a Practical Guide”</b></p>
<p>11.</p>	<p><b>What are key findings from the consultation you have carried out?</b></p> <p>The local authority must comply with the Act and has already published a statement however this should also be signed by the Mayor.</p> <p>The Authority must also build appropriate assessment of potential suppliers and monitoring of supplier compliance with the legislation into its procurement and contract management processes.</p>
<p>12.</p>	<p><b>Amendments to Proposal / Mitigating Actions</b></p> <p>NA.</p>