

Hambleton District Council

Report To: Chief Executive

Date: 2 June 2020

Subject: **Modern Slavery Policy and Procedure**

Portfolio Holder: Leisure
Councillor Mrs B S Fortune

Wards Affected: All Wards

1.0 Purpose and Background

- 1.1 To approve the adoption of a Modern Slavery Policy and Procedure that takes account of the Modern Slavery Act 2015 and assists the Council in meeting its duty to help tackle modern slavery within the district.
- 1.2 Employees of the Council's Safeguarding Panel, which is representative of the key services concerned with modern slavery, have contributed to the new Policy and Procedure to ensure it reflects the needs of all services.

2.0 Link to Council Priorities

- 2.1 The Modern Slavery Policy and Procedure links to the Enhancing Health and Wellbeing priority and sets out the Council's shared responsibility for safeguarding people against modern slavery. The Policy and Procedure defines modern slavery and establishes the Council's responsibilities, aims and procedures to ensure that best practice is consistently followed in line with legislation and local arrangements.

3.0 Risk Assessment

- 3.1 The key risk in not approving the recommendation is shown below:-

Risk	Implication	Gross Prob	Gross Imp	Gross Total	Preventative action	Net Prob	Net Imp	Net Total
The Council does not comply with its statutory duties as a local authority to protect people under the Modern Slavery Act 2015	The Council would be non-compliant with modern slavery legislation that may result in legal challenge and reputational damage.	4	3	12	Cabinet approve the Modern Slavery Policy and Procedure.	1	1	1

Prob = Probability, Imp = Impact, Score range is Low = 1, High = 5

Overall the risk of agreeing with the recommendation outweighs any risks of not agreeing it and is considered acceptable.

4.0 Financial Implications

- 4.1 There are no significant financial implications associated with the approval of the Modern Slavery Policy and Procedure. Training and development associated with the new Policy and Procedure will be delivered in-house.

5.0 Legal Implications

- 5.1 The Modern Slavery Policy and Procedure complies with the Modern Slavery Act 2015. Under Section 52 of the Modern Slavery Act 2015 local authorities are under a duty to notify the Home Office when they identify a potential victim of modern slavery. For children this means referring them into the National Referral Mechanism through North Yorkshire County Council's Children's services. For adults, a National Referral Mechanism referral can be made direct if the victim gives consent to the referral however councils are still under a duty to notify the Home Office if consent is not given. A short lead in time to update procurement documentation to comply with the new Policy and Procedure will be required.

6.0 Equality/Diversity Issues

- 6.1 The Public Sector Equality Duty is a duty on public bodies and others carrying out public functions to ensure that public bodies consider the needs of all individuals when shaping policy, delivering services and in relation to their own workforce.
- 6.2 The Public Sector Equality Duty has three aims. It requires public sector bodies to have due regard to the need to:
- I. eliminate unlawful discrimination, harassment, victimisation and any other conduct prohibited by the Act.
 - II. advance equality of opportunity between people who share a protected characteristic and people who do not share it (remove or minimise disadvantages, meet the needs of people, encourage participation in public life).
 - III. foster good relations between people who have a protected characteristic and people who do not share it (tackling prejudice and promoting understanding, it may also include positive action).
- 6.3 The Public Sector Equality Duty covers the following protected characteristics: age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex (gender) and sexual orientation. It also applies to marriage and civil partnerships but only in the requirement to have due regard to eliminate discrimination.
- 6.4 The Policy Statement in the new Modern Slavery Policy and Procedure states that Hambleton District Council recognises that everyone has a right to protection from modern slavery and acknowledges its shared responsibility to recognise the signs of modern slavery and preventing it from happening.

7.0 Recommendation:

- 7.1 That the Chief Executive, under his delegated authority, approves the adoption of the Modern Slavery Policy and Procedure at Appendix 1.

Steven Lister
Director of Leisure and Communities

Background papers: Tackling modern slavery – a council guide by the Local Government Association

Author ref: LW

Contact: Lisa Wilson
Service Manager (Communities)
01609 767149