

Modern Slavery

Policy and Procedure

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POLICY STATEMENT

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.

“Modern slavery is defined as the recruitment, movement, harbouring or receiving of children, women or men through the use of force, coercion, abuse of vulnerability, deception or other means for the purpose of exploitation. It is a crime under the Modern Slavery Act 2015 and includes holding a person in a position of slavery, servitude forced or compulsory labour, or facilitating their travel with the intention of exploiting them soon after.” (Source: www.gov.uk).

Hambleton District Council will not tolerate modern slavery in any of its forms and is committed to:

- Ensuring staff, volunteers and Members are aware of modern slavery.
- Managing services in a way which minimises the risk of modern slavery occurring.
- Having a system for dealing with concerns about possible modern slavery in line with the Modern Slavery Act 2015.
- Responding swiftly and appropriately to all suspicions or allegations of modern slavery.
- Treating people fairly and with dignity and respect.
- Ensuring the Council's supply chain is free from modern slavery.
- Sharing intelligence on modern slavery with partners.

AIMS & OBJECTIVES

The aim of this policy and procedure is to:

- Clearly define the Council's responsibilities in relation to modern slavery to ensure that best practice is consistently followed at all times with regards to all concerns.

The objectives are to:

- Ensure that modern slavery concerns are dealt with in line with legislation and local arrangements.

- Ensure all staff receive training in relation to modern slavery at a level commensurate with their role.

This document should also be read in conjunction with these council policies: Safeguarding Children and Adults; Recruitment and Selection; Procurement; Whistle Blowing; and Data-Protection.

SCOPE

This policy and procedure applies to all staff directly employed by Hambleton District Council, Elected Members, volunteers and contracted services.

RESPONSIBILITIES:

Chief Executive/Deputy Chief Executive/Directors/Heads of Service are responsible for:

- ensuring that this policy and procedure is effectively implemented across the organisation.
- ensuring that any resources needed to support this policy and procedure are available.
- ensuring staff are appropriately supported in applying the provision of this policy and procedure and have undertaken the required training.
- responding in a timely and appropriate manner to any breaches of this policy and procedure.

Service Manager (Communities) is responsible for:

- providing advice, guidance and support in relation to the application of this policy and procedure.
- updating this policy in line with the agreed date or any changes of legislation.
- supporting the consistent application of this policy and procedure across the organisation.
- arranging training as appropriate.
- monitoring referrals made into the National Referral Mechanism and acting as the Single Point of Contact for Hambleton District Council as a first responder organisation.

Human Resources are responsible for:

- providing advice, guidance and support in handling allegations of Modern Slavery made against staff.



Representative Bodies are responsible for:

- supporting the application of this policy and procedure
- encouraging their members to comply with the requirements of this policy and procedure

All Employees, Elected Members and volunteers are responsible for:

- being aware of the contents and requirements of the policy and procedure.
- complying with all requirements of this policy and procedure.

MONITOR & REVIEW

The Service Manager (Communities) will monitor the implementation of this policy and procedure and its effectiveness in order to ensure that the obligations outlined in this document are being met.

The policy and procedure will be reviewed in line with the date on the front of the document. Where a review is necessary due to legislative change, this will happen immediately.

EQUALITY IMPLICATIONS

In line with the requirements of the Public Sector Equality Duty, Hambleton District Council has considered the three aims of the Equality Duty as part of the process of decision making particularly in relation to evaluating and reviewing the policy and procedure. The three aims are to eliminate unlawful discrimination, advance equality of opportunity and foster good relations.

Hambleton District Council recognises that everyone, irrespective of their age, disability, gender reassignment, maternity status, race, religion or belief, gender, sexual orientation or marital status have a right to protection from Modern Slavery in line with current legislation.

The council does not anticipate any adverse equality impacts as a result of applying this policy and procedure.

RESOURCE IMPLICATIONS



There are not anticipated to be any substantial financial implications associated with this policy and procedure.

There are staffing resource implications associated with this policy which may include awareness raising and training, managing issues that arise or dealing with breaches of this policy and procedure.

LEGAL ISSUES

Due consideration will be given to all aspects of modern slavery law to ensure that the council is compliant with legislation throughout any aspect of the application of this policy and procedure.

Detailed below are the key legal considerations that must be taken into account:

Modern Slavery Act 2015

The Modern Slavery Act 2015 consolidated existing offences relating to trafficking and slavery and introduced new measures around prevention, support and protection of victims of slavery. Under the Act (section 52), local authorities have a duty to notify the Home Office of any individual encountered in England and Wales who they believe is a suspected victim of slavery or human trafficking.

Children Act 2014

The Children Act 2014 places a duty on local authorities to work in partnership with the relevant authority (in the case of Hambleton District Council this is with North Yorkshire County Council) to safeguard children.

Crime and Disorder Act 1998

Requires responsible authorities including local authorities to consider crime and disorder (including antisocial behaviour and other behaviour adversely affecting the local environment); and the misuse of drugs, alcohol and other substances in the exercise of all their duties, activities and decision-making. This means that in all policies, strategies and service delivery there is a need to consider the likely impact on crime and disorder.

Data Protection and Information Sharing

The Data Protection Act 2018 should not be a barrier to sharing information. It provides a framework to ensure that personal information about living persons is shared appropriately.

DEFINITIONS

For the purposes of this policy and procedure the term 'Modern Slavery' captures a whole range of types of exploitation, many of which occur together. These include but are not limited to:

- sexual exploitation
- domestic servitude
- forced labour
- criminal exploitation
- other forms of exploitation: organ removal; forced begging; forced benefit fraud; forced marriage and illegal adoption

POLICY

Overview of Hambleton District Council's role

Hambleton District Council has a key role to play in tackling modern slavery through:

1. Identification and referral of victims
2. Supporting victims
3. Community safety services and disruption activities
4. Ensuring that the supply chains (such as service contracts, suppliers, construction works) that are procured are free from modern slavery.

There are many different areas within a council when different officers may come across cases of modern slavery whilst going about their everyday duties such as:

- housing, homelessness, environmental health officers and waste and street scene teams may see people who are at risk of trafficking through the provision of homelessness services, through inspections of houses in multiple occupation (HMOs) or during waste collection rounds
- community safety officers may come across trafficking or modern slavery whilst working on issues around serious and organised crime, gangs, drug selling and other crimes committed within the area – e.g. cannabis cultivation and begging
- licensing and environmental health officers may encounter victims or perpetrators whilst inspecting premises such as nail bars and regulating other businesses, such as taxis and private hire vehicles

- councillors may hear concerns from residents about particular businesses or residential accommodation in their areas
- those working with local partners on resettling new arrivals may find that trafficking or modern slavery is or has been present with refugees and asylum seekers' routes into the UK
- customer services may come into contact with victims through their ordinary dealings with the public who may disclose or show signs of abuse from modern slavery (see Risk Factors and Warnings)

This is not an exhaustive list but serves to illustrate where council staff, Councillors and volunteers may come across modern slavery.

Community Safety

Hambleton District Council has a dedicated resource (Safer Hambleton Hub) to work with partners to reduce crime, disorder and anti-social behaviour across the Hambleton area.

When a referral has been made into the National Referral Mechanism and reported to North Yorkshire Police, the Safer Hambleton Hub will work with multiple organisations and support enforcement action against those identified as responsible for modern slavery. Where appropriate, it will co-ordinate support for victims and communities affected by a modern slavery investigation.

Procurement

Hambleton District Council recognises that it has a responsibility as far as is practicable, to ensure that there is no modern slavery within its supply chain. The Procurement Service, and Managers, responsible for procurement will ensure that the Procurement Policy and Procedures:

- require contractors to comply fully with the Modern Slavery Act 2015 where it applies, with contract termination as a potential sanction for non-compliance
- seek to challenge abnormally low cost tenders to ensure they are not relying on the contractor practising modern slavery
- reiterate the need to refer for investigation, via the National Referral Mechanism, any contractors identified as a cause for concern regarding modern slavery

Housing and homelessness

Hambleton District Council has approved policies and practices for supporting victims of modern slavery with regards to their accommodation needs and integrates with the National Referral Mechanism.

TYPES OF MODERN SLAVERY

(Source: modernslavery.co.uk)

Types of modern slavery can present in the following ways and some of these issues may overlap with areas of responsibility for other partnerships for example the North Yorkshire Community Safety Partnership:

Human trafficking	Individuals are moved either internationally or domestically so they can be exploited. If the trafficked individual is under 18 years old, then they are considered to be a child.
Forced or compulsory labour / servitude	Victims are forced to work against their will, often working very long hours for little or no pay in dire conditions, under verbal or physical threats of violence to them or their families. Servitude is an aggravated form of 'forced or compulsory labour'.
Criminal exploitation	Victims are coerced into committing crimes such as cannabis cultivation, pick pocketing, shoplifting and begging.
Sexual exploitation	Victims are forced to perform non-consensual or abusive sexual acts against their will, such as prostitution, escort work and pornography. Whilst women and children make up the majority of victims, men can also be sexually exploited.
Debt bondage	Victims are forced to work to pay off debts that realistically they will never be able to pay off. Low wages and arbitrary deductions from wages mean not only that they cannot ever hope to pay off the loan, but the debt may be passed down to their children.

Coercion can be physical or psychological. Physical coercion can refer to the use of violence, or be more subtle e.g. the withholding of travel documents. Psychological coercion can refer to the threat of perceived threat to the victim's relationship with other people. This can include blackmail, grooming, witchcraft and social stigma.

Human smuggling is an immigration offence and a crime against the state. Human trafficking is a crime committed against the individual, and is an attack on their freedom and integrity.

RISK FACTORS AND WARNING SIGNS

(Source: North Yorkshire Police: Modern Slavery Toolkit and Reference Guide)

Risk Factors

Anyone regardless of age, disability, gender reassignment, maternity status, race,



religion or belief, gender, sexual orientation or marital status, can be at risk of modern slavery. However, traffickers or modern slavery facilitators often target vulnerable individuals as they are easier to coerce. Vulnerable groups include:

- People on low incomes
- Homeless people / missing from homes
- Alcoholics / drug addicts
- People who lack education
- Children brought up in social care
- People with mental or physical ill-health
- Victims of domestic violence
- Illegal immigrants
- Former victims of modern slavery and human trafficking

Warning Signs

Physical and psychological indicators

- Victims may show signs of injuries (resulting from assault, mutilation, lack of safety equipment at work etc.)
- Victims may suffer drug or alcohol addictions
- Victims may show signs of post-traumatic stress disorder (anxiety, hostility, aggression, lack of concentration, inability to recall etc.)
- Victims may have tattoos or other marks denoting ownership
- Victims may have contracted sexually transmitted diseases
- Victims may be pregnant
- Victims may have suicidal feelings, and/or show signs of self-harm
- Victims may look malnourished and unkempt

Situational or environmental indicators

- Victims may be afraid / anxious to tell their story due to fear of reprisals
- Victims may show distrust of authorities due to corruption in their country of origin
- Victims may not be in possession of their own passport or travel documents, and may fear divulging their immigration status
- Victims may act as if instructed by another, or have others speaking on their behalf
- Victims may tell their stories with obvious errors as they are learnt and not theirs
- Victims may appear unfamiliar with their neighbourhood or where they work

- Victims may be fearful and emotional about their family and dependents
- Victims may speak limited English and have a vocabulary relating to their exploitative situation
- Victims may live and/or work in degrading, unsanitary or overcrowded conditions, and not have any private space
- Victims may have their movement controlled or restricted
- Victims may be isolated from family and friends and have limited social interaction
- Victims may lack access to medical care
- Victims may work excessively long hours and/or may not have a labour contract
- Victims may have very few items of clothing
- Victims may receive little or no payment and/or have no access to their earnings

Signs that a child may have been trafficked

- The child looks intimidated and behaves in a way that does not correspond with behaviour typical of their age
- The child has been brought from another country and/or has false documents or no passport or travel documents
- The child is with an adult, but it is unclear what their relationship is, or there are concerns about the relationship between parent and child
- The child is orphaned or separated from family members
- The child frequently goes missing from home, or is homeless
- The child is unable or reluctant to give details of accommodation or personal details
- The child possesses money or goods that cannot be accounted for
- The child is not registered with a GP or enrolled in a school
- Unrelated or new children are found at the same address
- The child displays physical symptoms such as pregnancy, sexually transmitted diseases or evidence of assault
- The child rarely leaves the house, has no freedom of movement and no time for playing
- The child eats apart from 'family' members
- The child is engaged in work that is not suitable for children, or is seen in appropriate places such as brothels and factories
- The child gives a prepared story which is very similar to stories given by other children
- Unaccompanied and/or intentionally displaced children are at particular risk

Locations of concern

Modern slavery operates in a variety of public and private locations. However, high risk industries for forced labour include: construction, food packaging and processing, agriculture, and fisheries. Brothels and escort websites can be used to facilitate sexual exploitation. Many brothels operate out of short term or holiday lettings and hotel rooms with custom generated via online advertising on websites.

Barriers to co-operation

Victims of modern slavery may be unwilling to disclose details of their experience or may fail to recognise themselves as a victim for a number of reasons including:

- Fear of punishment at the hand of the traffickers
- Fear of punishment at the hands of authorities (real or imagined)
- Fear of deportation
- Fear of reprisals against family members
- Fear of discrimination from their community and families (e.g. stigma/shame as a result of sexual exploitation)
- Situational dependency and a lack of awareness of the help and support available
- Victims may feel responsible for their situation/may have consented to elements of their exploitation
- Cultural differences i.e. children may see themselves as 'young adults' with a responsibility to help provide for their family
- Stockholm syndrome
- Belief that their current situation is only temporary and a stepping stone to a better future

Whilst consent should be sought in order for the appropriate referrals to be made, there is a Duty to Notify process which Hambleton District Council must follow regardless of consent being obtained.

PROCEDURE FOR REPORTING CONCERNS

Responding to issues of concern

Hambleton District Council, as a first responder organisation, recognises that it has a legal responsibility to respond to any issues of concern relating to modern slavery. All staff, Elected Members and volunteers who witness or hear a disclosure (i.e. someone confiding in them) or an allegation or have concerns about modern slavery have a duty to report the concern.

It is not up to individuals to decide if modern slavery has taken place but it is up to individuals to report any concerns to their line manager. The Line Manager will then contact the Safeguarding Concerns Manager or a Deputy Safeguarding Concerns Manager for advice.

Responsibilities

Everyone has a responsibility to:

1. Take action, if possible, to keep the person safe.
 - If urgent police presence is required call 999
 - If urgent medical assistance is required call 999 for an ambulance
2. Be aware of the need to try to preserve evidence if a crime is thought to have occurred (retaining paperwork, CCTV footage, telephone recordings etc).
3. Always report your concern to your line manager and in their absence to their line manager or the Safeguarding Concerns Manager or a Deputy.
4. Clearly record what you have witnessed or been told and any actions that have been taken – this can be hand written, typed or recorded.

If a person discloses modern slavery directly staff, Elected Members and volunteers should use the following principles to respond to them:

1. Treat everyone with respect and dignity
2. Stay calm and assure them that you are taking the concern seriously
3. Do not be judgemental or jump to conclusions
4. Listen carefully to what you are being told to get a clear account, and make notes, if appropriate
5. Use open ended questions not closed questions, and use their language
6. Do not start to investigate the concern
7. Explain that you cannot promise not to speak to other people about the information they have shared
8. Reassure the person that they will be involved in decisions about them

Recording Actions

A record of all actions and decisions must be made. Good record keeping is a vital component of professional practice. Quality recording not only safeguards people,



but also protects workers by evidencing decision making based on the information available at the time.

Records may be disclosed in courts in criminal or civil actions.

As much information as possible must be recorded as follows:

- A description of the circumstances in which you were told about or witnessed an incident, noting the setting, date, times and anyone else who was there at the time of the disclosure or incident. Try to record what the person said, using their actual words and phrases and who the concern has been reported to.
- Record whether consent to inform others has or has not been given.
- Sign, date and time your report.
- Give everything to your manager or, in their absence, the Safeguarding Concerns Manager as it will form part of the information collected (and could be used for legal actions at a later stage).
- Retain copies on case files if this is a requirement of your service making sure this is in line with the Information Commissioner's Office data protection principles.

All records – written or typed – must be signed and dated and hand delivered, in a **strictly confidential envelope** to the Safeguarding Concerns Manager. All records are kept centrally in a file in the Chief Executive's office.

The following tips will help you with your recording responsibilities:

- Write your report straightaway when the details are fresh in your mind, using any initial notes you have made.
- Separate out factual information from an expression of opinion.
- Never record full details on a document that remains with the person, or that the alleged abuser may have access to.
- Make sure your writing is legible, using black ink.
- Do not use correction fluid/tape. If you make a mistake, cross it out, initial and date it, then rewrite, and don't leave gaps to avoid documents being tampered with.

Reporting the concern

If you are concerned about someone you must share your concerns immediately with your line manager who will then consult the Safeguarding Concerns Manager or a Deputy Safeguarding Manager for advice.

If the concern is related to someone confiding in you and making a disclosure it is imperative that under no circumstances should you agree to keep this confidential.

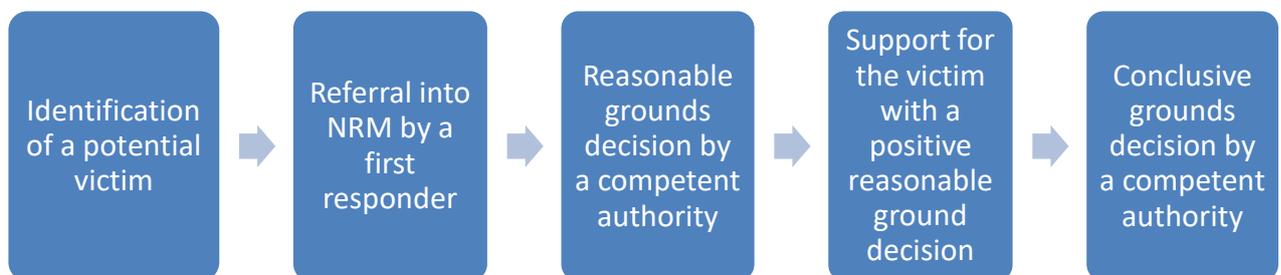
The line manager and Safeguarding Concerns Manager or a Deputy will assess the information provided and, in conjunction with the Safer Hambleton Hub, consider if there has been or is reasonably likely to be an incident of modern slavery. If this is the case they will report the case directly to the National Referral Mechanism following consultation with the Safeguarding Co-ordinator (Director of Leisure and Communities).

National Referral Mechanism

The National Referral Mechanism is the process by which people who may be victims of modern slavery are identified, referred, assessed and supported in the UK.

Council employees have a duty of care towards any potential victim of modern slavery regardless as to whether or not they have consented to enter the National Referral Mechanism. It is good practice to try to gain consent, as this is a multi-agency process designed to help victims of modern slavery and keep them safe but a referral still has to be made regardless of consent and the police will also need to be informed.

There are five basic stages in identifying a potential victim and their journey through the National Referral Mechanism:



Further information about the National Referral Mechanism is available at [here](#).

Note: Within Hambleton District Council referrals will only be made to the National Referral Mechanism through the Safer Hambleton Hub following consultation with the Safeguarding Co-ordinator (Director of Leisure and Communities) in the line with the procedure for reporting a concern.

USEFUL CONTACTS AND LINKS

Hambleton District Council

Advice on modern slavery concerns, allegation and suspicions

Safeguarding Concerns Manager: Lisa Wilson – 01609 767149

Deputy Safeguarding Concerns Manager: Alison Morton – 01609 767177

Deputy Safeguarding Concerns Manager and Safer Hambleton Hub: Gina Allen – 01609 767196

Allegations against staff, Members or volunteers

Safeguarding Co-ordinator – Steven Lister – 01609 767033

Human Resources Manager – Lynne Halls – 01609 767184

North Yorkshire Police

Emergency 999

Non-emergency 101

UK Human Trafficking Centre (UKHTC)

Tel: 0844 778 2406

Email: UKHTC@nca.x.gsi.gov.uk

Other

Childline 0800 1111

Modern Slavery Helpline 08000 121700

NSPCC Child Protection Helpline 0808 8005000

The Samaritans 0845 7909090

Victim Support 0845 3030900

Women's Aid 0808 2000247

ADDITIONAL READING

Local Government Association – Tackling modern slavery – A council guide

Local Government Association – Councillor guide to tackling modern slavery