

NEATH PORT TALBOT COUNTY BOROUGH COUNCIL

CABINET

29 May 2019

REPORT OF THE HEAD OF LEGAL SERVICES – C.GRIFFITHS

Matter for Decision

Wards Affected: All

Modern Slavery Statement in respect of Neath Port Talbot Council Supply Chain

Purpose of the Report

1. To seek approval from Members to adopt a Modern Slavery Statement in respect of the Neath Port Talbot Council Supply Chain following the adoption and implementation of the Welsh Government Ethical Employment in Supply Chains Code of Practice.

Background

2. Modern slavery is a crime and a violation of fundamental human rights. It takes various forms, such as slavery, servitude, forced and compulsory labour and human trafficking, all of which have in common the deprivation of a person's liberty by another in order to exploit them for personal or commercial gain.
3. The Welsh Government's Code of Practice for Ethical Employment in Supply Chains which Cabinet approved on the 23rd January 2019 provides for a written annual statement to be made by the Council outlining the steps taken during the financial year, and plans for future actions, to ensure that slavery and human

trafficking are not taking place in any part of the Council and its supply chains.

4. A Notice of Motion before Council on the 30th January 2019 also requested that a report be brought before Cabinet adopting a Modern Slavery Statement that sets out how the Council will seek to tackle Modern Slavery and Human Trafficking
5. A Modern Slavery Statement in respect of the Neath Port Talbot Supply Chain has now been prepared by the Council's Corporate Procurement Unit with assistance from the HR Section to comply with these requirements.
6. A copy of this statement is annexed to this report at Appendix 1 and Members will note that the report sets out a number of steps the Council has taken to date in respect of compliance but also the next steps that will be taken to implement the requirements of Welsh Government's Code of Practice for Ethical Employment in Supply Chains.
7. The Council has undertaken the following steps to date:
 - (a) Confirmation of the Council's Ethical Employment in Supply Chains Policy on the 23rd January 2019
 - (b) Appointment of the Cabinet Member for Corporate Services and Equality as the Council's Anti-Slavery and Ethical Employment Champion
 - (c) Establishment of a Procurement Strategy Group to ensure that good working practises are carried out through the Council in respect of the supply chain
 - (d) Ongoing updating and development of the Council's Contract Procedure Rules (a report to be brought to Members in early Summer 2019 for approval of revised rules)
 - (e) The inclusion of questions on modern slavery in tenders as part of a mandatory requirement of the selection process and contractual provisions requiring all suppliers to confirm their compliance with this legislation
 - (f) The inclusion of a modern slavery statement in the Council's recruitment and selection policies
 - (g) The production of an updated Whistleblowing policy

8. To further demonstrate the Council's commitment to eradicating modern slavery in our supply chain, over the course of coming year a number of steps will be taken to achieve continued compliance, these include:
 - (a) Training on modern slavery to be provided to all Council employees involved in the commissioning process and supply chain management;
 - (b) Ensuring a high level of understanding of the risks of modern slavery and human trafficking in our supply chains and our organisation, the Council intends to raise awareness of modern slavery amongst its employees involved in buying/procurement and the recruitment and deployment of workers, through the provision of an e-learning module on the Code of Practice for Ethical Employment in Supply Chains which encompasses Modern Slavery. Training will be provided to all employees to ensure understanding and awareness of modern slavery on a rolling basis.
 - (c) Expect Council suppliers to sign up to the Ethical Employment in Supply Chains Policy
 - (d) Carry out regular reviews of expenditure and undertake a risk assessment on the findings to identify products and/or services where there is a risk of Modern Slavery within the UK and overseas
 - (e) Identify products and/or services at potential high risk of Modern Slavery and establish a process to assess the contracts and work practices via a pilot to assess a sample of suppliers to attempt to identify and address through the appropriate channels any examples of Modern Slavery.

9. A report will be brought back to Members in Spring 2020 to advise on the outcome of the steps taken in paragraph 8 above and also the measures that the Council will embark on for the 2020/2021 financial year.

Financial Impact

10. In reviewing the commitments we have been mindful of the various external pressures we continue to experience, information received as a result of dialogue with stakeholders, generally and specifically in relation to the commitments, as well as planned work in service areas over the coming years. Therefore, at this stage, these commitments are capable of implementation without financial detriment. Those which are not capable of implementation due to financial constraints are highlighted in the Policy.

Integrated Impact Assessment

11. An Integrated Impact Assessment screening form was completed to assist the Council in complying with its legal duties. The screening indicated that there was no requirement to carry out a full integrated impact assessment. Please see Appendix 2.

Workforce Impacts

12. Additional work could be placed on officers engaged into the contractual process to ensure the requirements of the Policy are implemented accordingly and to ensure that our contractors and service providers are complying with the elements that they are required. Steps will be taken however to ensure that officers have template documents to utilise to reduce any administrative burden. Checklists will also be developed to assist in compliance. There will be additional pressures placed on the Corporate Procurement team to ensure processes and documentation are designed that can be utilised by directorates to capture the necessary information.

Legal Impacts

13. Although no direct legal impacts, in implementing the Modern Slavery Statement in respect of the Neath Port Talbot Council Supply Chain, the Council will be obliged to comply with the requirements of the Modern Slavery Act 2015. In addition, the

Council will be required at all times to ensure compliance with all employment legislation and contractual legislation (including but not limited to the Public Contract Regulations 2015 which governs procurement processes).

Consultation

14. There is no requirement under the Constitution for external consultation on this item.

Recommendations

15. That Members approve the adoption of the Modern Slavery Statement in respect of the Neath Port Talbot Council Supply Chain annexed to this report at Appendix 1.

Appendices

16. Appendix 1 – Modern Slavery Statement in respect of Neath Port Talbot Council Supply Chain
17. Appendix 2 – Integrated Impact Assessment Screening Assessment

List of Background Papers

18. Cabinet Report of the 23rd January 2019
Council Minutes of the 30th January 2019

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