

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

1. Introduction

1.1 This statement sets out Neath Port Talbot County Borough Council's (the Council) aims and commitments to tackle Modern Slavery. In particular it sets out the action that the Council has taken to date, and will take throughout 2019/2020, to ensure that there is no Modern Slavery and Human Trafficking in its own business or supply chains.

1.2 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.

2. Overview

2.1 The Council spends in excess of £140 million a year on goods, services and works involving local, national and international supply chains. The Council is fully committed to ensuring that there is no modern slavery or human trafficking in its supply chains or in any part of its business. This commitment requires an integrated approach bringing together key areas of the Council, in particular, Procurement and Human Resources and relevant departments responsible for contract management.

2.3 This statement covers the 12 commitments of the Code of Practice on Ethical Employment in the Supply Chain and also refers to safeguarding processes and the responsibilities of the Council under the Modern Slavery Act 2015. The Council has already signed up to the Code of Practice and the commitments contained therein are appended at Annex A.

3. Modern Slavery Act 2015

3.1 In the UK, the Modern Slavery Act 2015 defines criminal offences of slavery, servitude and forced or compulsory labour and of human trafficking, and includes measures for the protection of potential victims.

Slavery is any system in which principles of property law are applied to people, allowing individuals to own, buy and sell other individuals.

3.2 Victims are trafficked all over the world for little or no money, including to and within the UK. They can be forced to work in the sex trade, domestic servitude, forced labour, criminal activity or have their organs removed to be sold.

3.3 Modern Slavery is estimated to affect fifty million people worldwide including in the UK and Wales.

4. Responsibilities

The Welsh Government's Code of Practice for Ethical Employment in Supply Chains 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.

5. Commitment

5.1 The Council is strongly committed to tackling Modern Slavery and the wellbeing of all those who deliver services to the public, whether they are employed directly or through contractual arrangements.

5.2 The Council undertakes to consider due diligence processes in our own business and that of our supply chain. We will put systems in place to identify, assess and monitor potential risk areas in our supply chains in order to mitigate those risks.

5.3 The Cabinet Member for Corporate Services and Equality is the portfolio holder for this area of work and is the Council's Anti-Slavery and Ethical Employment Champion.

5.4 The importance of this area of work is reinforced by the fact that this statement will require approval by the Council's Cabinet which is subject to full scrutiny by the Cabinet Scrutiny Committee.

5.5 A senior management group consisting of the Chief Executive and Corporate Directors oversees the strategic management of the Council's business. Heads of Service have individual operational responsibility for services as well as providing strategic support to senior management.

6. What we have done

Action	Lead
Confirmation of the Council's Ethical Employment in Supply Chains Policy on 23 rd January 2019	Head of Legal
Appointment of the Anti-Slavery and Ethical Employment Champion	Head of Legal
Established a Procurement Strategy Group to ensure that good working practises are carried out throughout the Council	Head of Legal
Ongoing updating of the Council's Contract Procedure Rules	Head of Legal
Include questions on Modern Slavery in tenders issued by the Corporate Procurement Unit as part of a mandatory requirement of the selection process, and all suppliers are now required to confirm their compliance with the legislation.	Head of Legal
Include a Modern Slavery Statement in the Council's Recruitment and Selection Policy	Head of HR
Produced Whistleblowing Policy	Head of HR

7. What we will do

Action	Lead
Training on Modern Slavery to be provided to all Council employees	Head of HR
To ensure 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 Practise for Ethical Employment in Supply Chains which encompasses Modern Slavery. Training will be provided to all employees to	Head of HR

ensure understanding and awareness of modern slavery on a rolling basis.	
Expect Council suppliers to sign up to the Ethical Employment in Supply Chains Policy	Head of Legal
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	Head of Legal
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	Head of Legal

Annex A

Code of Practice Commitment	Action Required	Target date for Implementation	How we will measure each Commitment	Lead Officer
<p>1. 1. Produce a written policy on ethical employment within our own organisation and our supply chains. Once produced we will communicate the policy throughout our organisation and we will review it annually and monitor its effectiveness. As part of this we will:</p> <p>1.1. Appoint an Anti-Slavery and Ethical Employment Champion.</p>	<p>An Ethical Employment Policy will need to be written, which is the basis of this document</p> <p>1.1 An Anti Slavery and Ethical Employment Champion will be appointed.</p>	<p>Implemented in January 2019</p>	<p>A policy was produced and distributed to all staff members, which shall be reviewed on an annual basis.</p> <p>1.1 The Cabinet Member for Corporate Services and Equality has been appointed as Anti-Slavery and Ethical Employment Champion</p>	<p>Head of HR and Head of Legal Services</p>
<p>2. Produce a written policy on whistle-blowing to empower staff to raise suspicions of unlawful and unethical employment practices, and which places a responsibility on staff to report criminal activity taking place within our own organisation and our supply chains. Once produced we will communicate the policy throughout our organisation. We will review the policy annually and monitor its effectiveness. We will also:</p> <p>2.1. Provide a mechanism for people outside our organisation to raise suspicions of unlawful and unethical employment practices.</p>	<p>Whistleblowing Policy in place.</p> <p>Communicate Whistleblowing Policy on an annual basis</p> <p>2.1 Whistleblowing policy will be suitable for individuals outside of organisation to raise suspicions of unlawful and</p>	<p>Completed</p> <p>Ongoing</p> <p>2.1 Completed</p>	<p>A policy will be produced and distributed to all staff members, which shall be reviewed on an annual basis with statistics being identified on the use of the policy in accordance with the policy</p>	<p>Head of HR/Head of Finance and Head of Legal Services</p>

	unethical employment practices			
3. Ensure that those involved in buying/procurement and the recruitment and deployment of workers receive training on modern slavery and ethical employment practices, and keep a record of those that have been trained.	<p>Training on modern slavery being provided to all employees within the Council on a staged basis developed as a result of the Modern Slavery Act 2015</p> <p>Procurement Strategy Group set up to ensure that good working practices are carried out throughout the Council</p>	<p>Ongoing</p> <p>Ongoing. First meeting of Procurement Strategy Group took place in November 2018</p>	<p>A record will be kept of all officers who are involved in procurement processes and will be updated as an when training has been given. All such officers will undergo training prior to April 2019.</p> <p>Where concerns are identified by officers, advice notes on matters will be distributed to all staff members so they are aware of good working practices.</p> <p>Regular updates on training will be provided to the Procurement Strategy Group to feedback to requisite officers.</p>	<p>Head of HR</p> <p>Head of Legal Services</p>
4. Ensure that employment practices are considered as part of the procurement process. We will:			Random checks on tender exercises will be carried out by officers on tenders to ensure	Head of Legal Services

<p>4.1. Include a copy of our Policy on ethical employment (Commitment 1) in all procurement documentation.</p>	<p>4.1 Reference to all Council's Policies and the requirement for compliance therewith is included in conditions of contract issued in a procurement exercise conducted by the Corporate Procurement Unit. Once the Ethical Employment Policy has been drafted and approved, it will be incorporated into the conditions of contract.</p> <p>The Council's Contracts Procedure Rules are currently being reviewed and will include reference to these requirements.</p>	<p>4.1 Ongoing</p>	<p>compliance with the same.</p> <p>Records will be kept of all tenders (in line with the requirements of the Public Contract Regulations 2015) that will allow such issues to be identified.</p>	
<p>4.2. Include appropriate questions on ethical employment in tenders and assess the responses provided.</p>	<p>4.2 Questions on blacklisting and Modern Slavery are already included in tenders being issued by the Corporate Procurement Unit</p> <p>Ensure that all Sections that conduct tender exercises adopt the same practice as the Corporate Procurement Unit. The Council's Contracts Procedure Rules are currently being reviewed</p>	<p>4.2 Ongoing</p> <p>Update of Contract Procedure Rules to take place by July 2019</p>		

<p>4.3. Incorporate, where appropriate, elements of the Code as conditions of contract.</p> <p>4.4. Ask our suppliers to explain the impact that low costs may have on their workers each time an abnormally low quote or tender is received.</p>	<p>and will include reference to these requirements.</p> <p>4.3 Conditions of Contract already incorporate elements of the Code as appropriate and will be reviewed to ensure appropriateness each time a tender is issued</p> <p>4.4 Abnormally low bids are already investigated during a tender exercise in compliance with the Public Contracts Regulations 2015, which already include questions specifically in relation to the effect on workers and compliance with legislation.</p> <p>The Council's Contracts Procedure Rules are currently being reviewed and will include reference to these requirements to facilitate awareness to other Sections.</p>	<p>4.3 Ongoing</p> <p>4.4 Ongoing</p> <p>Update of Contract Procedure Rules to take place by July 2019</p>		
<p>5. Ensure that the way in which we work with our suppliers does not contribute to the use of illegal or unethical employment practices within the supply chain. We will:</p>			<p>Random checks on tender exercises will be carried out by officers on tenders to ensure</p>	<p>Head of Legal Services</p>

<p>5.1. Ensure that undue cost and time pressures are not applied to any of our suppliers if this is likely to result in unethical treatment of workers.</p> <p>5.2. Ensure that NPT suppliers are paid on time – within 30 days of receipt of a valid invoice.</p> <p>5.3. Ask our suppliers to explain the impact that low costs may have on their workers each time an abnormally low quote or tender is received.</p>	<p>5.1 This will be highlighted by the relevant Technical Officers when working with the Service area concerned and will be factored into the revised Contracts Procedure Rules to ensure compliance by all Sections.</p> <p>5.2 This is already a condition of contract and systems are in place to achieve this.</p> <p>5.3 This will be addressed as and when required as part of the procurement process. Abnormally low bids are already investigated during a tender exercise in compliance with the Public Contracts Regulations 2015</p> <p>The Council's Contracts Procedure Rules are currently being reviewed and will include reference to these requirements</p>	<p>5.1 Ongoing</p> <p>5.2 Ongoing</p> <p>5.3 Ongoing Update of Contract Procedure Rules to take place by July 2019</p>	<p>compliance with the same.</p> <p>Records will be kept of all tenders (in line with the requirements of the Public Contract Regulations 2015) that will allow such issues to be identified.</p>	
<p>6. Expect our suppliers to sign up to this Code of Practice to help ensure that ethical employment practices are carried out throughout the supply chain.</p>	<p>We will raise awareness of what we have committed to do as a Council and encourage our suppliers to</p>	<p>Ongoing</p>	<p>Statistics will be gathered for the number of suppliers who sign up to this Code of Practice</p>	<p>Head of Legal Services</p>

	do the same where possible. Our commitment to the Code will form part of the procurement process by including it in the tender documentation		and for those that do not an explanation to be provided to explain the reasoning so that the Council can consider why this might be the case and looking at its tendering obligations accordingly.	
<p>7. Assess our expenditure to identify and address issues of modern slavery, human rights abuses and unethical employment practice. We will:</p> <p>7.1. 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 and / or illegal or unethical employment practices within the UK and overseas.</p> <p>7.2. Investigate any supplier identified as high risk, by direct engagement with workers wherever possible.</p>	<p>7.1 We will identify those products and/or services at potentially high risk. Establish a process to assess the contracts and work practices via a pilot to assess a sample of suppliers to attempt to identify and prohibit any examples of Modern Slavery or unethical employment practices</p> <p>7.2 As and when required.</p> <p>7.3 As and when required.</p>	<p>7.1 Ongoing</p> <p>7.2 Ongoing</p> <p>7.3 Ongoing</p>	<p>Random checks on tender exercises will be carried out by officers on tenders to ensure compliance with the same.</p> <p>Records will be kept of all tenders (in line with the requirements of the Public Contract Regulations 2015) that will allow such issues to be identified.</p>	<p>Head of Legal Services</p>

<p>7.3. Work with our suppliers to rectify any issues of illegal or unethical employment practice.</p> <p>7.4. Monitor the employment practices of our high risk suppliers, making this a standard agenda item for all contract management meetings / reviews.</p>	<p>7.4 We will incorporate this into our contract management processes and monitor all high risk suppliers.</p>	<p>7.4 Ongoing</p>		
<p>8. Ensure that false self-employment is not undertaken and that umbrella schemes and zero hours contracts are not used unfairly or as a means to:</p>	<p>For the purposes of clarity, the Council itself does not use 'zero hours contracts', it uses 'casual hours contracts'. The Council will, however, manage the position with regard to its contractors and its contractors' supply chains to ensure that 'zero hours contracts' are not used unfairly as stated in this Commitment No. 8.</p>	<p>The Welsh Government published the Principles and Guidance on the Appropriate Use of Non-Guaranteed Hours Arrangements and the Council has sought to act in line with this. The Council recently conducted an audit of practice in order to feedback to Welsh Government via the Workforce Partnership Council, and identified one gap in our practice which was to develop clear</p>	<p>Random checks on tender exercises will be carried out by officers on tenders to ensure compliance with the same.</p> <p>Records will be kept of all tenders (in line with the requirements of the Public Contract Regulations 2015) that will allow such issues to be identified.</p>	<p>Head of HR / Head of Legal Services</p>

		policy in relation to those engaged on non-guaranteed hours arrangements. A policy will be put in place to achieve this in Spring 2019		
8.1. Avoid, or facilitate avoidance of, the payment of tax, National Insurance contributions and the relevant minimum wages.	8.1 This is now covered by IR35 legislation but we will incorporate this into our contract management processes and monitor all high risk suppliers.	8.1 Ongoing		
8.2. Unduly disadvantage workers in terms of pay and employment rights, job security and career opportunities.	8.2 As above	8.2 Ongoing		
8.3. Avoid Health and Safety responsibilities.	8.3 Each contract contains requirements for compliance with Health and Safety responsibilities and legislation and we will incorporate this into our contract management processes and monitor high risk suppliers	8.3 Ongoing		
9. Ensure that workers are free to join a Trade Union or collective agreement and to undertake any related activity and raise worker concerns without risk of discrimination. We will:	The Council encourages a healthy relationship with the recognised trade unions and is eager to work in partnership with them. The	Ongoing	Random checks on tender exercises will be carried out by officers on tenders to ensure	Head of Legal Services/Head of HR

<p>9.1. Not make use of blacklists / prohibited lists.</p> <p>9.2. Ensure that our suppliers do not make use of blacklists / prohibited lists.</p> <p>9.3. Not contract with any supplier that has made use of a blacklist / prohibited list and failed to take steps to put matters right.</p> <p>9.4. Ensure that Trade Union representatives can access members and contracted workers.</p>	<p>Council will not give any staff an unfair disadvantage for being involved in any activity on behalf of a union.</p> <p>9.1 The Council does not use blacklists / prohibited lists.</p> <p>9.2 The Council will endeavor to ensure that we use suppliers that share this principle and contractual obligations are placed in contracts encouraging this.</p> <p>9.3 Certainty of this is part of the pre-qualification arrangements of suppliers who apply for Council contracts.</p> <p>9.4 See 9.2 above</p>		<p>compliance with the same.</p> <p>Records will be kept of all tenders (in line with the requirements of the Public Contract Regulations 2015) that will allow such issues to be identified.</p>	
<p>10. Consider paying all staff the Living Wage Foundation's Living Wage as a minimum and encourage our suppliers to do the same. We will:</p>	<p>In respect of our suppliers:</p>	<p>Ongoing</p>	<p>Random checks on tender exercises will be carried out by officers on tenders to ensure compliance with the same.</p>	<p>Head of HR / Head of Legal Services</p>

<p>10.1. Consider paying at least the Living Wage Foundation's Living Wage to all our staff in the UK.</p> <p>10.2. Consider becoming an accredited Living Wage Employer.</p> <p>10.3. Also encourage our suppliers based overseas to pay a fair wage to all staff, and to ensure that staff working in the UK are paid at least the minimum wage.</p>	<p>10.1 Given the current budget position this can only be considered if the funding implications are met in full by Welsh Government.</p> <p>10.2 Given the current budget position this can only be considered if the funding implications are met in full by Welsh Government.</p> <p>10.3 There will be an obligation on all Suppliers to pay the National Minimum Wage as a contractual legal obligation.</p>		<p>Records will be kept of all tenders (in line with the requirements of the Public Contract Regulations 2015) that will allow such issues to be identified.</p>	
<p>11. Produce an annual written statement 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 our organisation and its supply chains. We will:</p> <p>11.1. Ensure that the statement is signed off at senior management / board level.</p>	<p>11.1 Statement contained in draft Recruitment and Selection Policy to be taken</p>	<p>11.1 Approval of draft statement by June 2019</p>	<p>Random checks on tender exercises will be carried out by officers on tenders to ensure compliance with the same.</p> <p>Records will be kept of all tenders (in line with the requirements of the Public Contract Regulations 2015) that</p>	<p>Head of HR/Head of Legal Services</p>

<p>11.2. Publish the statement on our website. If this is not possible, we will provide a copy to anyone within 30 days of a request being made.</p>	<p>to Cabinet once approved by Trade Unions</p> <p>11.2 Approved Statement will be published on Council's website</p>	<p>11.2 Publication of statement following approval by June 2019</p>	<p>will allow such issues to be identified.</p>	
<p>12. Ensure all those undertaking work on an outsourced contract are treated fairly and equally. We will:</p> <p>12.1. Ensure that public sector staff who are transferred as part of a public service which is outsourced to a third party retain their terms and conditions of employment.</p> <p>12.2. Ensure that other staff working on an outsourced public service are employed on terms and conditions that are comparable to the transferred public sector staff.</p>	<p>12.1 TUPE legislation is adhered to and provision is contained in tender documentation where TUPE is to apply</p> <p>12.2 The Council agrees with the principle that a body that provides a Service on its behalf should employ staff on terms and conditions of work similar to those staff that have been transferred out of the Authority's employment. At the same time, the Council first needs to respect and commit to the requirements of employment law when transferring staff out of its employment.</p>	<p>12.1 Completed</p> <p>12.2 Completed</p>	<p>Random checks on tender exercises will be carried out by officers on tenders to ensure compliance with the same.</p> <p>Records will be kept of all tenders (in line with the requirements of the Public Contract Regulations 2015) that will allow such issues to be identified.</p>	<p>Head of HR</p>

<p>13. In order to ensure compliance with the duty in Section 26 of the Counter-Terrorism and Security Act 2015, the Council will ensure that any of its Suppliers agree to comply with any requirements of the Council as set out in the Prevent Strategy and Guidance and Channel Guidance in order to ensure that due regard is given to the need to prevent people from being drawn into terrorism</p>	<p>The Council will ensure that</p> <ol style="list-style-type: none"> 1. a clause is inserted in all contracts requiring all suppliers to comply at all times with the Prevent Strategy and Guidance and Channel Guidance, to attend any training so organised by the Council (and at no cost to the Council) in respect of such guidance and to make any 	<p>Ongoing</p>	<p>Random checks on tender exercises will be carried out by officers on tenders to ensure compliance with the same.</p> <p>Records will be kept of all tenders (in line with the requirements of the Public Contract Regulations 2015) that</p>	<p>Head of Legal Services and Assistant Chief Executive and Chief Digital Officer</p>

	<p>referrals to appropriate organisations, ensuring at all times those supplying services to the Council assist in allowing the Council to meet its statutory obligations under Section 26 of the Counter Terrorism and Security Act 2015, and</p> <p>2. a pre-qualification question is included in procurement documentation to ensure that any bidder that declares it has used its supply chains to fund and/or support terrorism and/or extremism and fails to satisfy the Council that mitigating action has been undertaken to prevent recurrence will not be permitted to bid in such tender.</p> <p>3. the Council's Contracts Procedure Rules (currently being reviewed) will include reference to these requirements to facilitate awareness to Council officers.</p>		<p>will allow such issues to be identified.</p>	
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