

# Dudley MBC

## Modern Slavery and Human Trafficking Statement and Policy

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## **Dudley MBC: Modern Slavery and Human Trafficking Statement and Policy 2018/19**

In accordance with the Modern Slavery Act 2015, Dudley MBC makes the following statement in relation to the financial year 2018/19 to prevent, where possible, Modern Slavery (i.e. slavery and human trafficking), taking place in any part of its own business or any of its supply chains.

***Dudley Metropolitan Borough Council is absolutely committed to preventing slavery and human trafficking in our services and activities and to doing all that we reasonably can to ensure that our supply chains are taking all necessary measures to mitigate the risk from slavery and human trafficking***

The Council has a corporate responsibility to do all it can to prevent modern slavery and human trafficking. The Council will also work with communities and partners to ensure a robust response to tackling these issues.

This policy and statement sets out the Council's actions to understand all potential modern slavery risks relating to our services. We are confident that steps outlined in our action plan will address the Council's commitment to preventing slavery and human trafficking.

**Councillor Pete Lowe, Leader of the Council**

Date Approved: 25<sup>th</sup> October 2018

**Councillor Patrick Harley, Leader of the Conservative Group**

Date Approved: 25<sup>th</sup> October 2018

**Sarah Norman, Chief Executive**

Date Approved: 25<sup>th</sup> October 2018

## **Introduction**

***Dudley Metropolitan Borough Council is absolutely committed to preventing slavery and human trafficking in our services and activities and to doing all that we reasonably can to ensure that our Supply Chains are taking all necessary measures to mitigate the risk from slavery and human trafficking***

This statement sets out the Council's actions to understand all potential modern slavery risks related to its services and businesses. It also puts in place steps that are aimed at mitigating these risks.

## **Background**

Modern slavery is a hidden crime of indeterminate duration, frequently involving multiple victims and offenders, who may be involved at different times.

Modern slavery offences tend to involve, or take place alongside, a wide range of abuses and other criminal offences. The Home Office (2017)<sup>1</sup> has identified 17 different types of modern slavery offence in the UK, which fall broadly into four overarching categories:

- **Labour Exploitation;** including being subjected to poor / cramped living and / or working conditions with low or no payment and building of debts
- **Domestic Servitude;** where the victim is forced to undertake household chores either for immediate or extended family members or strangers, this can also include forced marriage and other types of domestic abuse;
- **Sexual Exploitation;** including child sexual exploitation, trafficking for sex work and sexual abuse for the perpetrators own gratification
- **Criminal Exploitation;** including forced gang and drug related activity, forced labour for illegal purposes such as cannabis cultivation, forced acquisitive crime and begging, financial fraud (including benefit fraud) and trafficking for forced or sham marriages

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<sup>1</sup> <https://www.gov.uk/government/publications/a-typology-of-modern-slavery-offences-in-the-uk>

## **Dudley MBC's Corporate Role and Responsibilities**

The Council has a number of responsibilities as an employer, as a contractor of services as well as a duty to safeguard individuals, families and communities.

Through the implementation of this Statement and Policy the Council will strive to prevent modern slavery and human trafficking and protect individuals from harm.

As a Metropolitan Borough Council it has a duty to notify the Secretary of State of suspected victims of slavery or human trafficking as introduced by section 52 of the Modern Slavery Act 2015. As a first responder this is done through the National Referral Mechanism (NRM).

Section 54 of the Modern Slavery Act states that the employer's slavery and human trafficking statement might include information on:

- its structure, business and supply chains;
- its policies in relation to slavery and human trafficking;
- its due diligence processes in relation to slavery and human trafficking in its business and supply chains;
- the parts of its business and supply chains where there is a risk of slavery and human trafficking taking place, and the steps that it has taken to assess and manage that risk;
- its effectiveness in ensuring that slavery and human trafficking is not taking place in its business or supply chains, measured against such performance indicators as it considers appropriate; and
- the training about slavery and human trafficking available to its staff.

(The above points are taken into account through this Statement and Policy).

Dudley MBC is committed to developing and maintaining relationships with its employees, contractors and members of the community, in addition to working with our partners.

Examples of working with our partners to safeguard individuals, families and communities include tackling rogue landlords through the Rogue Landlord Operational Group and tackling issues in respect of Child Sexual Exploitation and Child Criminal Exploitation through the Safeguarding Children's Board – CSE, Missing and Vulnerabilities Sub-Group

Dudley's Modern Slavery and Human Trafficking Action Plan outlines how we will work together to raise awareness of Modern Slavery and improve our response to victims as a borough.

### **Organisational structure and supply chains**

This statement covers the activities of Dudley MBC. The Council only operates within the United Kingdom.

Dudley has a rich mix of people living and working harmoniously within the borough. According to the 2011 Census, the borough has a BME population of 11.5% (all groups except White British) and continues to see new and emerging communities choose Dudley as their home.

Dudley MBC is a local authority which provides a wide range of statutory and discretionary services for its residents, businesses, visitors and partners.

The [Constitution](#) outlines the way in which the Council is organised to carry out its affairs. It explains the structures and decision making processes of the Council and includes the rules and procedures that govern the behaviour of those who work for or represent the Council. The key elements of the systems and processes that comprise the council's governance framework are detailed in its Code of Corporate Governance included in the [Constitution](#). The Council is developing a register of all of its contracts. The Council procures goods and services from various suppliers. Procurement is governed by the Council's Contract Standing Orders (also in the [Constitution](#)). The Council's procurement and tender activity requires all relevant supplier contracts to confirm compliance with the Modern Slavery Act (2015) during the procurement process, as contained in Selection Questionnaire Section 7 (Questions 7.1 & 7.2.).

### **Compliance with this statement**

Compliance of the Council's anti-slavery initiatives will be undertaken as follows:

**Policies:** In addition to this policy, the Council has a number of policies and procedures that contribute to meeting the requirements of the Modern Slavery Act 2015 and preventing slavery and human trafficking in our services and operations, which are reviewed on an annual basis, based on value and risk, to ensure they remain current and relevant.

**Investigations/due diligence:** Any concerns regarding modern slavery or human trafficking will be investigated and will be raised with the relevant Chief Officer in the first instance.

**Training:** Awareness of the issue of human trafficking and modern slavery has been raised through briefing sessions, the Safe and Sound website and through a focus at the joint Dudley Safeguarding Adults and Safeguarding Children Board meeting. A training needs analysis will be undertaken of all Council staff to determine what further training needs to be done to ensure a better understanding of and response given to any identified slavery and human trafficking risks.

**Collaborative working:** The Council is committed to and will work collaboratively with relevant organisations across all sectors to support individuals affected by Modern Slavery as and where appropriate.

### **Relevant policies and Guidance**

The Council reviews its policies and procedures on an ongoing basis to do all that we reasonably can to ensure that they remain compliant and fit for purpose. The following policies and procedures are considered to be key in meeting the requirements of the Modern Slavery Act (2015) and preventing slavery and human trafficking in our services and operations.

**Procurement Strategy and Guidance:** The Council is committed to doing all that we reasonably can that its suppliers adhere to the highest standards of ethics. The Council's [contract procedure rules](#) requires its contractors to provide confirmation of compliance with the Act during the procurement process.

Dudley Metropolitan Borough Council have embedded obligations under the Modern Slavery Act 2015 in the Council's Procurement Process as part of the PAS 91 Tender Template and Selection Questionnaire (SQ). New Terms and Conditions of Contract Clauses on Modern Slavery Act (2015) comply with and underpin our procurement activity. The Process in PAS 91, (SQ) and Terms and Conditions demonstrates the Council's commitment to acting ethically and with integrity in all our business relationships and to implement and enforce effective

systems and controls to ensure slavery and human trafficking is not taking place anywhere in our supply chains so far is reasonably practicable.

### Identifying and Mitigating Potential Risk in Our Supply Chains

The risk of Modern Slavery in the Council's direct and local activities is considered low. However, we recognize the potential risks linked to the supply chain of goods and services we buy suppliers and contractors. A large portion of these goods are bought through collaborative contracts, and we work with the relevant bodies to ensure anti-corruption activities are addressed during their procurement processes as well as in our own.

**Safeguarding:** The Council embraces its responsibility to develop, implement and monitor policies and procedures to safeguard the welfare of children and vulnerable adults. The Council works within multi-agency partnerships to protect and safeguard people.

**Recruitment and Selection Guidance for Managers:** The Council's recruitment processes are transparent and reviewed regularly. They include robust procedures for vetting new employees, which do all that we reasonably can to ensure that they are able to confirm their identities and qualifications, and they are paid directly into an appropriate, personal bank account.

**Employees codes of conduct:** The codes make it clear to employees the actions and behaviour expected of them when representing the organisation. The organisation strives to maintain the highest standards of conduct and ethical behaviour in all its operations and when managing our supply chain and any breaches are investigated.

**Whistle Blowing Policy:** The Council encourages all of its employees, customers and other business partners to report any concerns related to the direct activities or the supply chains of the organisation. This includes any circumstances that may give rise to an enhanced risk of slavery or human trafficking. The organisation's Whistleblowing policy and procedure is designed to make it easy to make disclosures without fear of retaliation.

**Pay Arrangements Policy:** The Council has a pay arrangements policy which provides transparency with regard to the council's approach to setting the pay of its employees. It operates a Job Evaluation Scheme to do all that we reasonably can to ensure that all employees are paid fairly and equitably.

**Agency workers:** The Council uses only specified, reputable employment agencies to source labour. It verifies the practices of any new agency it is using before accepting workers from that agency.

### **Procedure for Handling illegal migrant workers:**

While part of the Recruitment process, DMBC also has a stand alone document, in accordance with the Immigration and Asylum Act 2006, which states:

*'Under the Act the Council carries out prescribed document checks on all potential employees before they are employed , to confirm if a person has both the right to work in the UK and the right to carry out the type of work being offered'*

The **DMBC Equality policy statement** states that:

Dudley Council is working to ensure that:

- Equality is at the heart of our community council
- Equality is everyone's responsibility
- Our communities are strong and cohesive
- Our workforce reflects the local community at all levels

### **Due diligence**

The council undertakes due diligence when considering taking on new suppliers and regularly reviews its existing suppliers where proportionate to risk and value. This is the responsibility of the individual contract managers. The organisation's due diligence and reviews include:

- maintaining a central register of all of the Council's contracts;
- mapping and reviewing the supply chain broadly to assess particular product or geographical risks including risk of modern slavery and human trafficking;
- conducting supplier assessments on a regular basis focussing on financial stability, covering insurance, compliance with various employment policies and which have a greater degree of focus on slavery and human trafficking where general risks are identified;
- contract monitoring and taking steps to improve poor supplier performance and practices, including providing advice to suppliers and requiring them to implement action plans, to demonstrate compliance with the contract, for example compliance with safer recruitment requirements;

- invoking sanctions against suppliers who fail to improve their performance in line with an action plan or who seriously violate the Council's expectations of suppliers, including the termination of the business relationship;

all invitations to tender for business with the Council will include the following statement in line with the terms and conditions of individual contracts:

*We are committed to doing all that we reasonably can that there is no modern slavery or human trafficking in our supply chains. DMBC will not support or deal with any business knowingly involved in slavery or human trafficking. We use the Crown Commercial Services Standard Selection Questionnaire which includes a self- certification element to our tendering processes. These are used to assess suppliers' compliance with the Modern Slavery Act (2015).*

### **Staff training and awareness**

The Council along with partners is developing a tiered programme of training that will be available to employees to complete depending on their job role. The programme enables officers in community facing roles to know how to identify and report suspected incidents of abuse and neglect. The modern slavery training will cover:

- how to identify the signs of slavery and human trafficking;
- the steps that should be taken if slavery or human trafficking is suspected;
- victim Support Pathways
- how to escalate potential slavery or human trafficking issues to the relevant parties both within Dudley MBC and elsewhere;
- The National Referral Mechanism
- the external help available, for example through the Modern Slavery Helpline and The Gang-masters and Labour Abuse Authority;

## **Action Plan**

<b>Actions Implemented 2017/18</b>
<b>Policy and Process</b>
<ul style="list-style-type: none"><li>• Identified governance for the Modern Slavery Agenda and updated Terms of Reference and membership of relevant groups as appropriate</li><li>• Draft Modern Slavery (MS) policy and statement prepared. Under Section 54 of the Modern Slavery Act, and the Public Contract Regulations 2015 all EU procurement conducted by the Council requires commercial organisations that operate in the UK supplying goods or services (and have an annual turnover of £36 Million or more) to prepare a slavery and human trafficking statement as defined in Section 54 of the Act.</li><li>• The Council has inserted a Clause within its New General Terms and Conditions in relation to Modern Slavery. This outlines the obligations of the supplier in contracting with the Council. It extends to due diligence procedures being in place for sub-contractors to that supplier. It references the requirement for suppliers to comply with all applicable anti-slavery and human trafficking laws, statutes, regulations and codes (including the Modern Slavery Act 2015). The Council will reserve the right to terminate and seek recompense for any contract where the Supplier is found to be in breach of the anti-slavery policy</li></ul>
<b>Communication and training</b>
<ul style="list-style-type: none"><li>• Dedicated web page on safe and sound website established with information on modern slavery</li><li>• MS multi-agency briefings have taken place</li><li>• National Referral Mechanism (NRM) widely promoted</li><li>• Presentation at Rogue Landlords Operational Group including case studies</li><li>• Regional documents distributed across the Local Authority and Partners</li><li>• Presentation at Joint Safeguarding Adults and Childrens Boards Meeting – March 2018</li></ul>
<b>Data</b>
<ul style="list-style-type: none"><li>• Received limited data to date</li><li>• Work has begun to explore data sets</li></ul>
<b>Partners</b>
<ul style="list-style-type: none"><li>• The Rogue Landlord Operational Group is a multi-agency Group. Modern Slavery is a standing agenda item. Key partners include:- West Midlands Police (WMP), West</li></ul>

Midlands Fire Service (WMFS), DMBC Housing, Safeguarding, Trading Standards, Planning, Private Sector Housing, Probation and DWP.

- The Community Cohesion Strategic Group receive updates in relation to MS on a quarterly basis and oversee work within the action plan. Key partners include DMBC, WFMS, WMP, Clinical Commissioning Group and Dudley Borough Interfaith Network
- Effective working relationship established between Community Safety Team and WMP Dudley Local Policing Unit lead for Modern Slavery
- Close links between Safe and Sound (Dudley's Community safety Partnership), Dudley Safeguarding Adults Board, Dudley Safeguarding Children Board and Dudley Health and Well Being Board
- DMBC is a member of the Regional Modern Slavery and Human Trafficking Board and West Midlands Anti-Slavery Network

An action plan for 2018 - 2019 has been developed as part of this Statement and Policy in order to mitigate the risk of modern slavery and do all that we reasonably can to comply with the Act. The implementation and effectiveness of these actions will be monitored via the Community Cohesion Strategic Group, in addition to part of the annual review of this statement.

The action plan can be accessed by emailing [Community.safety@dudley.gov.uk](mailto:Community.safety@dudley.gov.uk)

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## **Note on practical guidance to identify trafficking and modern slavery and reporting**

In the course of your employment or business with the Council, you may come across situations and people that cause you concern. This section seeks to give some practical guidance to assist with deciding if someone may have been trafficked or is the victim of modern slavery.

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 service, forced labour, criminal activity or have their organs removed to be sold. There is no typical victim and some victims do not understand they have been exploited and that they are entitled to help and support. Victims are often trafficked to a foreign country where they cannot speak the language, have their travel and identity documents removed and are told that if they try to attempt an escape, they or their families will be harmed.

Key indicators of trafficking include:

- Is the person in possession of their own passport, identification or travel documents or are these documents in possession of someone else?
- Does the person act as if they were instructed or coached by someone else?
- Do they allow others to speak for them when spoken to directly?
- Was the person recruited for one purpose and forced to engage in some other job? Have transport costs been paid for by facilitators, whom they must pay back through working or providing services?
- Does the person receive little or no payment for their work? Is someone else in control of their earnings?
- Does the victim have freedom of movement? Are they dropped off and collected from work?
- Is the person withdrawn or do they appear frightened?
- Has the person or their family been threatened with harm if they attempt to escape?
- Is the person under the impression they are bonded by debt, or in a situation of dependence?
- Has the person been physically or emotionally harmed or deprived of food, water, sleep, medical care or other life necessities?
- Can the person freely contact friends or family? Do they have limited social interaction or contact with people outside their immediate environment?

This list is not exhaustive. Remember, a person may display a number of the indicators set out above but they may not necessarily be a victim of modern slavery or trafficking. Often you will build up a picture of the person's circumstances which may indicate that something is not quite right. **If you have a suspicion, [report it.](#)**

For more information visit: <https://www.dudleysafeandsound.org/modernslavery>