

Waverley Borough Council

Report to: Executive

Date: 9 July 2024

Ward(s) affected: All

Report of Strategic Director: Legal & Democratic Services

Author: Deborah Upton, Senior Governance Officer

Email: Susan.Sale @waverley.gov.uk

Executive Portfolio Holder responsible: Paul Follows, Leader of the Council & Victoria Kiehl, Executive Portfolio Holder for Organisational Development & Governance

Email: paul.follows@waverley.gov.uk/victoria.kiehl@waverley.gov.uk

Report Status: Open

Key Decision: No

Charter Against Modern Slavery

1. Executive Summary

This report is recommending that the Council adopt the Co-Operative Party Charter against Modern Slavery (the Charter). The Council made it clear in its statement in October 2019 that it opposes slavery and human trafficking and never knowingly conducts business with partners, contractors, supply chain or employees involved in such practice.

2. Recommendation to Executive

The Executive is asked to recommend:

That the Council approves:

- 2.1 Entering into the Charter Against Modern Slavery, as set out in Appendix One

3. Reason(s) for Recommendation:

- 3.1 The Council has already committed to not doing business with any organisation or employer who is found to knowingly undertake practices of modern slavery and has incorporated a statement into its safeguarding policy to cover this area.
- 3.2 Formal adoption of the Charter will provide further clarity over the Council's position and will enable transparent and open reporting of the key criteria in the Charter. It will also help to facilitate shared procurements with Guildford Borough Council, who have already adopted the Charter.

4. Exemption from publication

- 4.1 No

5. Purpose of Report

- 5.1 The purpose of this report is to highlight the Charter and the associated reporting requirements, for members to consider whether to recommend that full Council formally adopt it.

6. Strategic Priorities

- 6.1 The Charter contributes to the following priorities set out in the Corporate Plan 2020-2025:-
 - Local, open, participative government
 - Supporting a strong, resilient local economy

- Improving the health & wellbeing of our residents and communities.

6.2 The publication of the annual report to Council allows us to be transparent and open about how we meets our commitment to the Modern Slavery Act, and to make residents aware of our achievements in tackling this area. Supporting the Charter in turn supports our safeguarding responsibilities, and also our local economy by driving out unlawful and unethical practices from our procurement supply chains.

7. Background

7.1 Section 54 of the Modern Slavery Act 2015 introduced provisions on transparency in supply chains, requiring entities with an annual turnover of £36 million or more to report annually on their actions to identify, prevent and mitigate modern slavery in their supply chains. The Council does not fall within this threshold and does not need to produce an annual report. Some Councils have voluntarily chosen to publish an annual report even if they are below threshold.

7.2 The Charter goes further than the existing law and guidance relevant to Councils of our size and commits the Council to proactively vetting its supply chain to ensure no instances of modern slavery are taking place. A copy of the Charter is set out at Appendix One, and a number of Councils have committed to the Charter and the publication of an annual report setting out compliance.

7.3 Guildford Borough Council has already adopted the Charter and has the necessary working practices in place to ensure compliance. We will be able to benefit from those processes if we adopt the Charter.

7.4 The Council will be asked to agree to a revised set of Contract Procedure Rules at its meeting on 16 July, to incorporate the new

provisions of the Procurement Act 2024 and which will be the same as Guildford Borough Council. If the Council adopt the Charter, then this will be included in the revised Contract Procedure Rules.

- 7.5 The action plan and progress will be monitored by the Joint Strategic Director – Finance and the Corporate Management Board.

8. Consultations

- 8.1 Standards & General Purposes Committee at its meeting on 1 July considered the changes to the Contract Procedure Rules and supported the principle of adopting the modern slavery charter as part of the proposed changes.

9. Key Risks

- 9.1 Once the Council signs up to the Charter, it will need to publish an annual report of its progress. This means that the Council must ensure that it has an action plan and monitors progress, otherwise there is a risk that the Charter will not be met.
- 9.2 Failure to sign up to and implement the Charter could enable the Council to be in a position of inadvertently supporting modern slavery and labour exploitation in the supply chain.

10. Financial Implications

- 10.1 There are indirect financial implications as there is a cost of staff training and putting new procedures in place. This will be a nominal cost as we will be able to share processes and procedures with Guildford Borough Council.

11. Legal Implications

- 11.1 The Council does not need to comply with Section 54 Modern Slavery Act 2015, as it has a turnover of less than £36M. There is no statutory obligation to set out the steps taken by the Council to ensure modern slavery is not taking place in our business or supply chains. The Council could choose voluntarily to adopt the Charter, and/or to publish a statement under Section 54 if it chooses to do so.
- 11.2 The Council already has a statutory duty under Section 52 Modern Slavery Act 2015 to notify the Home Office of any suspected victims of Modern Slavery or human trafficking and needs to ensure that staff receive appropriate training to enable them to recognise potential victims. This is part of the Council's commitment to training our staff in safeguarding practices.

12. Human Resource Implications

- 12.1 There are no direct HR implications from adopting the Charter.

13. Equality and Diversity Implications

- 13.1 An equality impact assessment is not considered necessary, as adoption of the Charter will help support the Council's commitment to equality and diversity and does not have an impact (positive or negative) on people in respect of protected equality characteristics. Any person can be subject to modern slavery, and the Charter is an opportunity to promote equality and diversity, and fair working practices across our supply chains.

14. Climate Change/Sustainability Implications

- 14.1 There are no implications.

17. Summary of Options

17.1 The Council can:-

- (a) Choose to adopt the Charter against Modern Slavery, and receive an annual report on delivery against the Charter
- (b) Choose to publish a Statement of compliance with Section 54 Modern Slavery Act 2015
- (c) Decide not to adopt the Charter or publish a statement of compliance

18. Conclusion

18.1 The Council has already demonstrated its commitment to tackling modern slavery, and the adoption of the Charter would help to support this. Our procurement processes will be shared with Guildford Borough Council, who have committed to the Charter, and we could benefit from their learning and current processes to help ensure we are able to meet our commitments.

18.2 Adoption of the Charter would better meet our needs than publication of a statement of compliance with Section 54, as it would enable us to use shared documentation for joint procurements and benefit from savings and efficiencies across the two Councils.

19. Background Papers

19.1 Minutes of the Council Meeting of 22 October 2019

20. Appendices

App.1 Charter against Modern Slavery

Please ensure the following service areas have signed off your report.
Please complete this box, and do not delete.

Service	Sign off date
Finance / S.151 Officer	2 July 2024
Legal / Governance	1 July 2024
HR	N/A
Equalities	N/A
Lead Councillor	1 July 2024
CMB	1 July 2024
Executive Briefing/Liaison	Via Leader & Portfolio Holder
Committee Services	1 July 2024