

**Report to:** Cabinet

**Date of meeting:** 19 July 2022

**By:** Chief Operating Officer

**Title:** East Sussex County Council Draft 2021/2022 Modern Slavery Statement

**Purpose:** To inform Cabinet of East Sussex County Council's first Modern Slavery Statement in advance of its publication

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## **RECOMMENDATIONS**

The Cabinet is recommended to:

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- 1) agree the East Sussex County Council's first Modern Slavery Statement; and**
  - 2) authorise the Chief Operating Officer to make, if necessary, minor modifications to the Statement Prior to publication.**
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## **1 Background**

1.1 Modern slavery is an umbrella term used to describe situations of exploitation where people are exploited for financial gain. It refers to situations that a person cannot refuse or leave because of threats, violence, coercion, deception and/or abuse of power and vulnerability. It encompasses practices such as slavery, forced labour or compulsory labour, debt bondage, human trafficking, domestic servitude, and sexual exploitation.

1.2 The key legislation in the UK on this issue is the Modern Slavery Act which was introduced in 2015. Section 54 of the legislation requires commercial organisations with an annual turnover of £36 million or more to report publicly on their efforts to address modern slavery in their operations and supply chains. To comply with the legislation organisations meeting the threshold are legally required to publish a slavery and human trafficking statement for each financial year outlining the steps taken (or not taken) by the organisation to address modern slavery during this year. Statements must be approved at the highest level of an organisation, signed by the most senior member of the organisation, and published on their website with a link in a prominent place on their homepage.

1.3 According to Home Office statutory guidance, the statement should focus specifically on supply chains and business operations and must "describe the steps your organisation has taken during the financial year to deal with modern slavery risks in your supply chains and your own business." Currently, statutory guidance recommends that statements include information on the following areas:

- Organisation structure and supply chains
- Policies in relation to slavery and human trafficking
- Due diligence processes
- Risk assessment and management
- Key performance indicators to measure effectiveness of steps being taken
- Training on modern slavery and trafficking

1.4 Following an independent review and public consultation of the legislation, the government announced plans to make changes to the legislation. In addition to mandating the aforementioned reporting areas listed, the government announced that it will extend Section 54 obligations to public

bodies with a budget of £36 million or more, including local authorities in England and Wales. While extending Section 54 will require legislative changes, in March 2022 the Home Office acknowledged in a letter to public sector bodies that this change will be introduced as soon as parliamentary time allows and encouraged organisations to in any case produce a statement for the 21/22 financial year by 30 September 2022.

## **2 Supporting information**

2.1 East Sussex County Council has made several commitments to addressing modern slavery in its supply chain. For instance, in 2020 it signed a joint pledge on modern slavery coordinated by the Sussex Anti-Slavery Network. This pledge commits the Council to work proactively with local and national bodies to take actions such as demonstrating strong local leadership for anti-slavery initiatives and removing slave-based labour from its supply chains.

2.2 Surrey County Council, East Sussex County Council and Brighton & Hove City Council have agreed that the responsibility for implementing approaches to responding to modern slavery in their operations and supply chains will rest with Orbis Procurement - a shared partnership service between the three authorities.

2.3 As this is the Council's first statement, it demonstrates how we have started responding to modern slavery risks in our operations and supply chains and some of our planned actions. Statutory guidance acknowledges that "Organisations will need to build on what they are doing year on year. Their first statements may show how they are starting to act on the issue and their planned actions to investigate or collaborate with others to effect change."

2.4 While the Council's first statement has touched on some of its planned actions, statements are primarily retrospective, focusing on the actions that have already been taken in the last financial year to tackle modern slavery in its organisation and supply chains. It is not a policy or a strategy document, but rather an annual reporting mechanism.

2.5 The aim is to have the statement signed and published by 30 September 2022 as required by Section 54 of the Modern Slavery Act 2015.

## **3. Conclusion and reasons for recommendations**

3.1 The Cabinet is recommended to approve the first ESCC Modern Slavery Statement. A draft of the Statement is attached to this report

**ROS PARKER**  
**Chief Operating Officer**

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## **BACKGROUND DOCUMENTS**

None



# Modern Slavery Statement for the financial year ending 2021/2022 [Draft]

June 2022



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Modern slavery is an umbrella term encompassing exploitative practices such as slavery, servitude, forced or compulsory labour and human trafficking. This statement sets out actions taken by East Sussex County Council to address the risk of modern slavery in our operations and supply chains and ensure that the goods and services we procure do not contribute to modern slavery in the UK and globally. This statement is pursuant to Section 54 (transparency in supply chains) of the UK's Modern Slavery Act 2015.

East Sussex County Council has four overarching priority outcomes we plan to achieve by 2025: driving sustainable economic growth; keeping vulnerable people safe; helping people help themselves; and making best use of resources now and for the future. Our [Council Plan 2022/2022](#) sets our ambitions and what we plan to achieve by 2025 for our priority outcomes.

The Council has made public declarations regarding modern slavery and has engaged in collaborative forms of work at community level. We have also taken a number of steps to tackle modern slavery such as raising awareness of modern slavery to our communities, establish measures to protect vulnerable groups against exploitation, and working together to support the identification and safeguarding of victims. However, we have recognised the need to undertake further work in our operations and supply chains to ensure that our own activities do not contribute, cause or are linked to modern slavery practices. East Sussex County Council is therefore committed to tackling this problem and being transparent in our anti-slavery activities and outcomes.

This statement relates to the steps taken by the Council during the financial year 1 April 2021 to 31 March 2022.

# Our organisational structure and supply chains

Our Corporate Management Team provides strategic direction to the whole council which is organised into the following directorates:

- Adult Social Care and Health
- Governance Services
- Children's Services
- Business Services
- Communities, Economy and Transport

East Sussex County Council have partnered with Brighton & Hove City Council and Surrey County Council to develop Orbis Procurement - a shared service partnership working together to deliver lean procurement support, shared learning to achieve excellent outcomes, and shared resource for the delivery of achieving value for money for our residents. Collectively, we comprise of one of the largest public procurement spend in local government. Orbis Procurement service delivers a significant amount of our projects annually, and therefore its contribution to our anti-slavery activities is vital.

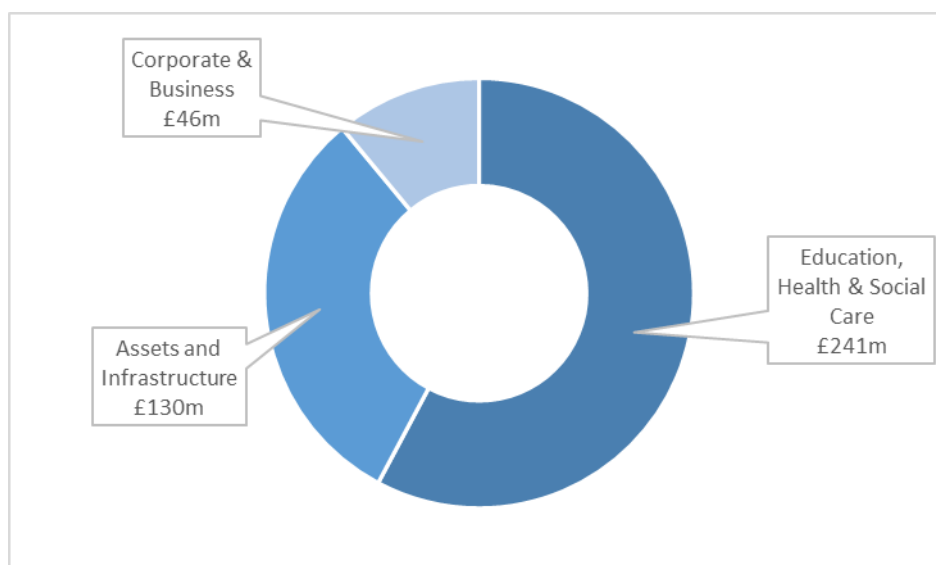
The three authorities have committed to developing an approach to respond to modern slavery in our operations and supply chains. This responsibility will rest with Orbis Procurement on behalf of Surrey County Council, East Sussex County Council and Brighton & Hove City Council.

For each of the authorities where services are not procured directly by the Councils, they are procured via Orbis Procurement on behalf of the Council. This statement reports on activities related to these services. Further work will be required to map services procured directly by the Council. These services are often significantly lower in value and spend and are governed by the Council's procurement and contract standing orders. Therefore, it is anticipated that such work would require longer-term assessments in collaboration with other teams working across the Council. Focusing on services procured via Orbis Procurement in the short-term allows us to ensure adequate prioritisation of modern slavery risks and allocation of shared resources to respond to these risks.

During the 2021/2022 financial year the Council spent approximately £417 million with

2,104 suppliers, procured using Orbis Procurement’s services on behalf of the Council.

The diagram below demonstrates the distribution of this spend:



## Responsibility for anti-slavery activities in our operations and supply chains

Activity	Responsibility
Approving the modern slavery statement	– Corporate Management Team
Signing the modern slavery statement	– Chief Executive – Leader of the Council
Drafting and reviewing the modern slavery statement	– Orbis Procurement Senior Policy Lead on Modern Slavery – Orbis Procurement Senior Leadership team – Representatives from: Procurement; Legal; Human Resources; Audit; Safeguarding; and Community Safety teams
Assessment and prioritisation of modern slavery risks for services procured via Orbis Procurement on behalf of the Council	– Orbis Procurement Senior Policy Lead on Modern Slavery



Modern slavery due diligence in the supply chain for services procured via Orbis Procurement on behalf of the Council	<ul style="list-style-type: none"> <li>– Orbis Procurement Senior Policy</li> <li>Lead on Modern Slavery</li> <li>– Heads of services</li> <li>– Commissioning managers</li> <li>– Procurement teams</li> <li>– Contract managers</li> </ul>
Education and training of procurement personnel	<ul style="list-style-type: none"> <li>– Orbis Procurement Senior Policy</li> <li>Lead on Modern Slavery</li> </ul>
Education and training of wider council and staff	<ul style="list-style-type: none"> <li>– Orbis Procurement Senior Policy</li> <li>Lead on Modern Slavery</li> <li>– Safeguarding and Community Safety teams</li> </ul>
Identifying and responding to suspected cases of modern slavery	<ul style="list-style-type: none"> <li>– All staff is responsible for identifying and responding to suspected cases of modern slavery</li> </ul>

## Our policies in relation to modern slavery

East Sussex County Council recognises the importance of policies to communicate commitments and our expectations of our staff, suppliers, and those who we do business with, to effectively address modern slavery.

The following are our key policies, procedures, and codes of conduct in relation to modern slavery.

- Council Constitution
- Whistleblowing Policy
- Code of Conduct and Conflict of Interest Policy
- Health and Safety
- Working Time Policy Statement
- Recruitment Policies
- Equality, Diversity, and Inclusion Policies
- Grievances, Workplace Conflict and Mediation Policies
- Domestic Abuse Policy
- Trade Unions Policy

Details of these policies and their relevance to modern slavery can be found in the **Annex**.

## Modern slavery due diligence

### Anti-Slavery Commitments

In 2020 we signed a joint pledge on modern slavery coordinated by the Sussex Anti-Slavery Network. This pledge commits us to work proactively with local and national actors to take actions such as demonstrating strong local leadership for anti-slavery initiatives and removing slave-based labour from our supply chains. We recognise that while commitments are important, they alone cannot address modern slavery and that further practical action is needed.

### Partnership and Collaboration

The Sussex Anti-Slavery Network was established in 2018. The aim of the partnership includes asserting and supporting organisations' responsibility towards tackling modern slavery, sharing intelligence and best practice, and developing preventative strategies. We also have representatives who are part of the Brighton & Hove Anti-Slavery Network. This group also focuses on monitoring progress in addressing modern slavery. While these partnerships contribute to action against modern slavery, we recognise the need to bring a business and supply chain element to their focus. This includes co-ordinating with the network to engage with local businesses and suppliers.

### Supplier Engagement

We recognise the need to ensure that modern slavery requirements are consistently implemented throughout our procurement to effectively tackle this problem. We are developing and strengthening existing measures to engage with our suppliers on the problem of modern slavery. Such measures include reviewing modern slavery clauses in contracts and procurement materials such as tender and specification documents to ensure that the Council and our suppliers adequately respond to modern slavery risks.

### Victim Support and Protection

East Sussex County Council recognises that having adequate safeguarding measures can help identify potential victims, support them in their rehabilitation and protect them from further victimisation. A number of practitioners undertake the role of Single Point

of Contact for modern slavery queries at the Council with the aim of maintaining awareness and knowledge of modern slavery work and responsibilities. Modern slavery can be hidden making it hard to recognise potential victims and it is important that the indicators are recognised so that safeguarding concerns can be raised appropriately, and potential victims receive the right support and are safeguarded at the earliest opportunity. The Modern Slavery Pathway was introduced in 2020 which practitioners follow to ensure potential victims are safeguarded and protected effectively. This pathway has recently been enhanced with the publication of a Multi-Agency Modern Slavery guidance in 2022 which includes information on support for potential victims with recourse or no recourse to public funds.

## Training on modern slavery

We recognise the importance of raising awareness of modern slavery amongst our staff. We are committed to designing and delivering training to our staff, including providing targeted training to key personnel.

We have delivered one virtual training session on modern slavery risks in supply chains to staff. The training was delivered on three different slots to enable staff to attend. It lasted approximately 2 hours and focused on improving our staff's understanding of the problem of modern slavery in supply chains. The training, which will be distributed in phases to different teams, was first delivered to our staff working across Orbis Procurement for the three authorities. Sixty-eight percent (68%) of procurement staff undertook the training. This included people working in various roles such as Heads of Procurement, Procurement Specialists, Contract & Supply Specialists, and Strategic Procurement Managers. The contents of the training included:

- Definition of modern slavery
- Types of modern slavery
- Vulnerabilities to exploitation
- General signs of exploitation
- Nature and scale of slavery globally and in the UK
- Introduction to the UK's Modern Slavery Act and Section 54 on Transparency in Supply Chains
- Enablers of modern slavery in supply chains and high-risk sectors
- Relevance of modern slavery to the public sector
- Different responsibilities within our organisation for tackling modern slavery

- Commitments of Surrey County Council, East Sussex County Council and Brighton & Hove City Council in addressing modern slavery, including planned actions (see following section).

## Looking ahead: Our plans for 2022/2023

East Sussex County Council is committed to ensuring that our anti-slavery approach is effective in tackling modern slavery in our operations and supply chains. Therefore, over the next financial year some of the activities we aim to undertake include:

- Review policies to consider how we can strengthen them.
- Working with other stakeholders across the Council to understand services procured directly by the Council to support modern slavery due diligence of these activities.
- Assess and prioritise areas within our organisation and supply chains at high-risk of modern slavery.
- Review our procurement processes and identify areas to embed anti-slavery activities in the procurement lifecycle.
- Strengthen engagement with our suppliers to address modern slavery in supply chain risks.
- Design and deliver targeted training to key roles and responsibilities within our organisation.
- Develop performance indicators to measure the effectiveness of actions taken.
- Publish a modern slavery statement for the 2022/2023 financial year.

## Approval of statement

This statement has been approved by the Corporate Management Team on 18 May 2022. It will be reviewed and updated on an annual basis.

**Signed:**

**Becky Shaw, Chief Executive**

**Keith Glazier, Leader of the Council**

**[Insert signature here]**

**[Insert signature here]**

**Date: [Insert date here]**

# Annex: Organisational Policies

Policy	Relevance to tackling modern slavery
Council Constitution	<p>East Sussex County Council’s Constitution sets out the political decision-making arrangements used by the Council. It explains the responsibilities of the Council, the Members, and staff. The “Procurement and Contracts Standing Order” in the Constitution sets out how the Council authorises and manages spending and contracts with other organisations. This ensures that prior to any significant expenditure there is proper consideration of the need first of whether to buy at all and service the need internally, or if external expenditure is required that it is made in a fair, open and transparent way. The Order covers issues pertinent to the anti-slavery agenda such as ensuring that supply chain partners operate fair and ethical working practices when purchasing goods, works and services.</p>
Whistleblowing Policy	<p>This policy provides a clear framework which is intended to give people the confidence to raise workplace concerns without fear of reprisal or victimisation. This policy applies to all Council employees. In addition, the policy applies to Members, all contractors and their staff working for the Council e.g., agency staff, consultants, and builders; also, providers of works, services, and supplies, including the Council’s external contractors and those providing services under a contract with the Council in their own premises. This policy is important for individuals wanting to raise concerns about modern slavery and/or related issues.</p>
Code of Conduct and Conflict of Interest Policy	<p>This Code sets out the minimum standards of conduct that employees will be expected to observe when carrying out their duties. This includes encouraging and expecting employees, through agreed procedures and without fear of recrimination, to raise workplace concerns about risk, malpractice, or wrongdoing. Employees are expected to conduct themselves at</p>

	<p>all times (inside and outside of work) in a manner which will maintain public confidence in both their integrity and the services provided by the Council. This is relevant to the anti-slavery agenda as the Code expects employees to behave ethically and maintain high standards of personal conduct and be aware of and act in accordance with the Council's values and behaviours.</p>
Health and Safety	<p>The Council has various policies which aim to promote high standards and good practices in relation to health, safety, and welfare. This includes policies on: Personal Protective Equipment; Health and Safety; Stress Management and Risk Assessment; and Occupational Health and Wellbeing. These policies are important to tackling modern slavery as victims of forced labour and modern slavery may be at increased risk of work-related injuries due to inadequate protective equipment and health and safety measures, including appropriate training. Our Stress Management and Risk Assessment is also relevant to modern slavery as the Council recognises that while exploitation may not be present in the workplace, individuals could be controlled and exploited outside of the working environment. Consequently, identifying poor physical and mental health in the workplace linked to a worker's personal life may uncover potential modern slavery practices.</p>
Working Time Policy Statement	<p>The Council recognises that excessive overtime beyond permitted national legal limits can contribute to forced labour practices when coupled with forms of threat. The Working Time Policy Statement aims to ensure that managers know the legal limits on working hours and the minimum breaks required at work and between days of work. This policy explains the Working Time Regulations 1998, which places legal limits to working hours for most workers and provides a legal entitlement to rest breaks. This Policy applies to all "workers" (as defined in the Regulations) and the definition includes all contracted employees and temporary and casual workers</p>

engaged by the Council. Agency workers are covered by the Regulations but in most cases the agency will be the employer and will therefore retain responsibility for ensuring compliance with the Regulations. However, managers using agency workers are expected to ensure that the limits to working time and rest break requirements are applied to these workers when they are working for the Council.

Recruitment

The Council recognises the importance of recruitment processes in identifying and responding to potential modern slavery cases. We have several recruitment policies in place that are relevant to the anti-slavery agenda.

In addition to policies such as the promoting diversity and equality of opportunity in employment (see below) we have a Recruitment and Selection Policy which sets out the procedure for recruiting and selecting staff at the Council. The policy is designed to ensure the recruitment and selection process is fair, open, and transparent and promotes equal opportunities to all groups throughout the local community. We also maintain a pre-employment checks policy, which provides information on checks that should be carried out to verify recruitment decisions.

The policy also provides guidance on the use of agency staff. The Council aims to fill all vacant posts with directly employed staff. However, where required the Council has an appointed managed service provider for temporary agency workers. The Council's Human Resources team support hiring managers in the recruitment process, including handling issues about the service provider and safeguarding alerts involving an agency worker.

The Council also has several policies on Disclosure and Barring



Service (DBS) checks, which enable checks to be used for assessing the suitability of candidates in relevant roles. The policies provide guidance on the effective use of the DBS Disclosure process to safeguard the children and adults who access our services. Agency workers, contractors, sub-contractors, and volunteers are assessed against the same criteria as those working directly for the Council if a DBS is required.

The Council recognises that victims of modern slavery can be exploited in legitimate jobs with legal terms of employment but exploited by others unrelated to the Council. Therefore, the above policies are important to ensure that potential victims and vulnerabilities are identified during the resource and recruitment process, including the use of temporary workers employed via an agency. Additionally, the policies are relevant to the anti-slavery agenda as they cover aspects of work where vulnerable people accessing our services could be taken advantage of and exploited.

Grievances,  
Workplace Conflict  
and Mediation

We have several policies and procedures on grievance, workplace conflict and mediation. This includes:

Grievance and Workplace Conflict Policy: This policy sets out the Council's approach to handling grievances, including its expectations that complainants are not discriminated against or victimised for having brought a complaint, and ensuring that confidentiality is maintained at all times, including after any procedures have concluded.

Promoting Diversity and Equality of Opportunity in Employment:

This policy ensures equal access to opportunities in employment and promotes diversity in our workforce.

Dignity at Work: This document provides guidance on ensuring

	<p>that colleagues are treated with respect and dignity in the working environment.</p> <p>Grievance mechanisms are important to tackle modern slavery as it involves an additional route by which employees can raise complaints or concerns. The Council also recognises that certain vulnerable, marginalised, and underrepresented groups are at a higher risk of poor labour and employment practices and therefore the above policies ensure that every member, manager, and employee have a duty to be aware of equality issues in their daily activities.</p>
Domestic Abuse	<p>This policy sets out the principles and standards that the Council will apply in supporting employees who have experienced, or are experiencing, domestic abuse and where there are concerns that an employee may be the perpetrator of domestic abuse. This includes types abuses such as psychological, physical, sexual, financial, and emotional. The principles and standards apply to all employees, agency workers, contractors and their staff whilst working for, or on behalf of, the Council. While this policy focuses specifically on domestic and sexual abuse, it is important for tackling modern slavery as cases may share similar indicators of abuse.</p>
Trade Unions	<p>East Sussex County Council has agreements with unions to provide facilities to help them to represent members at all levels. Relevant policies include:</p> <p>Trade Union Facilities Policy: This policy sets out the principles to underpin good working relationships between the Council and recognised trade unions by affording the trade unions the necessary time and appropriate access to facilities to discharge their duties.</p> <p>Employee Relations Policy: This policy sets out areas of responsibility regarding employee relations. It also sets out the Council's position on trade union recognition, collective</p>

bargaining, and joint consultation, as well as disputes, discipline, and grievance.

The Council recognises that trade union representation in the workplace can help reduce the risk of modern slavery by representing the interest of workers, ensuring fair working practices, supporting workers in negotiating their terms and conditions, and the resolving of grievances.

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