

Tackling modern slavery: LGA support for councils and joint work with the Independent Anti-Slavery Commissioner

Purpose of report

For discussion.

Summary

This paper introduces a presentation by the new Independent Anti-Slavery Commissioner, Dame Sarah Thornton CBE QPM; updates the Board on recent LGA work to support councils in tackling modern slavery; and considers the scope for future joint work with the Commissioner and her office.

Recommendation

The board provide their views on future work in this area.

Action

Officers to take forward as directed.

Contact officer: Ellie Greenwood

Position: Senior Adviser

Phone no: 0207 764 3219

Email: ellie.greenwood@local.gov.uk

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Background

1. Part 4 of the Modern Slavery Act (MSA) 2015 established the role of UK Independent Anti-Slavery Commissioner (IASC), with a remit to encourage good practice in the prevention, detection, investigation and prosecution of slavery and human trafficking offences, as well as in the identification of victims.
2. The first IASC, Kevin Hyland OBE, presented to the Safer and Stronger Communities Board (SSCB) in January 2017, marking the start of a constructive relationship with both him and his office. Following Kevin's resignation, Dame Sara Thornton CBE QPM took up the post of IASC in June 2019. Prior to becoming IASC, Dame Sara had a long career in both the Metropolitan and Thames Valley Police, where she rose to the position of Chief Constable, and was the first Chair of the National Police Chiefs' Council from 2015-2019.
3. Dame Sara will be attending the SSCB to discuss her priorities as new Commissioner, and the session provides an opportunity for members to consider future collaborative work between the LGA and office of the IASC (OIASC). This paper also outlines the LGA's recent work on modern slavery, and sets out current key policy issues linked to modern slavery.

Previous joint work between the LGA and office of the IASC

4. Following Kevin Hyland's presentation to the SSCB in 2017, officers from the community safety team worked with the Commissioner's office to develop comprehensive [guidance](#) for councils on their role in tackling modern slavery. This was the first guidance published for councils on the issue and focused on helping councillors and officers to understand what modern slavery is, the legal framework around it, and the multiple roles councils can play in trying to tackle it:
 - 4.1. Identifying and referring victims.
 - 4.2. Supporting victims.
 - 4.3. Disrupting modern slavery.
 - 4.4. Ensuring supply chains are free of slavery.
5. The guidance was published at the end of 2017, and was supplemented by a series of five regional workshops in early 2018. More than 100 councils and 200 delegates attended the events, which heard from: Cllr Alan Rhodes, the SSCB's tackling modern slavery champion; the IASC; police officers working on modern slavery; the Gangmasters and Labour Abuse Authority (GLAA); charities working with victims of modern slavery, and councils which had undertaken early work on modern slavery.

Recent LGA work on modern slavery

6. Following this initial work on modern slavery, the LGA has maintained a close relationship with the Commissioner's office, but undertaken a number of specific pieces of work independently. These include:
 - 6.1. A further conference on disrupting modern slavery, held in November 2018, which was attended by a further 80 delegates.
 - 6.2. Support to councils on the transparency in supply chains (TISC) agenda. Although councils are not currently subject to the Modern Slavery Act requirements to publish a TISC statement (but see paragraph 14 below), a number of councils have voluntarily done so, and the LGA's website includes a number of resources designed to support councils in ensuring their supply chains are free of slavery. This area of work is led by the LGA's productivity team, which leads on commissioning and procurement.
 - 6.3. The development of guidance specifically targeted at councillors, to help them understand the individual role they can play in increasing awareness of modern slavery and scrutinising their council's work on this agenda. This is due to be published shortly.
 - 6.4. A series of case studies highlighting good practice work by councils on modern slavery, which will also be published shortly.
 - 6.5. The development of guidance for landlords on modern slavery, which will be made available for councils to publish locally.
 - 6.6. We will shortly be developing guidance for councils on hand car washes and modern slavery, given particular concerns about the prevalence of labour exploitation and slavery in this sector.
 - 6.7. Initial discussions with Nottingham University's Rights Lab regarding the possibility of behavioural insights work to change consumer and community behaviour to help prevent and tackle modern slavery.
7. Alongside this, over the past year we have undertaken a significant amount of work to provide input to numerous workstreams lead by the Home Office's Modern Slavery Unit. These include:
 - 7.1. A major reform programme to the National Referral Mechanism (NRM), the process by which suspected cases of modern slavery are referred, assessed and supported if it is found that there are reasonable grounds to believe someone is a victim. The programme has a number of different strands, including an overarching reform board, which the LGA was invited to sit on in 2018; a review of the role of 'first responders' (organisations, including councils, which can make referrals into the NRM); and pilots of different aspects of the reforms, including the new Independent

Child Trafficking Guardian role and extended periods of support and transition for victims in and exiting the NRM.

7.2. The development of statutory guidance on the MSA 2015. Section 49 of the Act provides for the Home Office to develop guidance on the indicators of modern slavery and human trafficking; arrangements for providing assistance and support to victims; and arrangements for determining whether there are reasonable grounds for determining that someone is a victim of modern slavery. The Home Office has been criticised for failing to produce guidance before now, including in a legal judgement.

7.3. Consideration of the development of a ‘child friendly NRM’ process.

Current policy issues in modern slavery

8. There are a number of modern slavery policy issues impacting on local authorities which the Board will wish to be aware of.
9. There is currently extensive activity taking place to reform different aspects of the NRM process, including by extending the support available to victims and digitising the referral process. This work has placed a significant demand on the LGA and partner organisations such as the Association of Directors of Adult Social Services and the Association of Directors of Children’s Services as the Home Office has sought feedback on various issues, typically at short notice. As a general point to be aware of, there is a significant level of concern among third sector groups working in modern slavery at the way in which some things (notably the development of statutory guidance) are being developed at pace. LGA officers share some of these concerns.
10. The underlying factor behind some of these concerns, however, appears to be a general dissatisfaction with the support that is available to victims of modern slavery. Where an adult victim consents to enter the NRM¹, they are then entitled to a period of support; under the current reform programme, this is being extended from 45 to 90 days. However, it has been argued that this is too short a period for a victim to recover from such a traumatic experience, and the Home Office recently lost a legal case which ruled that a time based approach to support was illegal. The Home Office is now looking to develop a needs based approach to supporting victims.
11. There is likely to be an increasing challenge around the growing number of victims of slavery being identified, and therefore the rising cost of providing this support. The number of [referrals into the NRM](#) rose from 5,142 in 2017 to 6,993 in 2018, having previously risen from 1,746 in 2013. Council referrals have increased significantly over the last couple of years (from 789 in 2017 to 1,335 in 2018), in large part due to the number of county lines linked referrals of child victims.

¹For child victims, support is provided in line with normal child protection and safeguarding arrangements. Child victims are referred into the NRM; NRM specific support through Independent Child Trafficking Guardians is currently being piloted.

12. A number of organisations have made the case that councils have pre-existing obligations under international slavery law and domestic legislation to provide housing support to victims, and that adult victims should fall within adult safeguarding arrangements (as slavery is a form of abuse, child victims will automatically fall within the scope of normal child protection arrangements). However, there are clearly challenges for local authorities in meeting these expectations, given the existing pressures on homelessness services and housing supply, and in view of the fact that many adult victims will fall outside of adult care thresholds. We are discussing with the Home Office the potential implications of a new needs based assessment system on demand for local authority services.
13. More broadly, councils' work to tackle modern slavery also impacts most on services that are already extremely stretched: regulatory services and community safety teams are perhaps best placed to disrupt slavery, but have experienced significant cuts in recent years, reducing their capacity to routinely and proactively undertake operations around modern slavery.
14. Finally, a recent independent review of the MSA 2015 led by Frank Field and Maria Miller MPs and Baroness Butler-Sloss has recommended that the Act's transparency in supply chains provisions are extended to public authorities. The Government is currently consulting on a proposal to include public authorities within scope of the requirement for organisations with a budget of £36m to produce an annual TISC statement setting out what they are doing to ensure their supply chains are free of modern slavery. We expect this requirement to be introduced, meaning that 150 councils would be in scope; of which 58 are currently compliant as they have statements already.

Future work with the new Commissioner

15. Dame Sara and her office are currently undertaking work to develop a new strategic plan, which is expected to be published on or around Anti-Slavery Day 2019 (18 October). We understand that the Commissioner's four overarching priorities are:
 - 15.1. Improving victims care and support
 - 15.2. Supporting law enforcement and prosecutions
 - 15.3. Focusing on prevention
 - 15.4. Getting value from research and innovation.
16. We also understand that the Commissioner is very keen to work more closely with local authorities, and will shortly be convening an expert roundtable to discuss what has been done so far, what are the current challenges, and what the Commissioner can do to have a tangible impact in tackling modern slavery.
17. The meeting is an opportunity for Board members to provide feedback of their councils' local experience of modern slavery, and to help shape future joint work between the

LGA-OIASC, as well as the Commissioner's direct work with local authorities. Possible areas of work could include:

- 17.1.Further awareness raising sessions for councils (subject to funding being available).
- 17.2.Joint work to make the case for additional victim support, and highlighting the new burdens that modern slavery is creating for councils.
- 17.3.Exploring opportunities for community led preventative work, taking forward the behavioural insights work the Nottingham Rights Lab has considered – how can we influence consumers to make decisions that help prevent slavery, and encourage neighbourhoods to report any suspicions?

Implications for Wales

18. The MSA 2015 applies to England and Wales, though the Commissioner's remit is UK-wide. Subject to the discussion at the Board, LGA officers will liaise with WLGA counterparts to discuss their interest in joint work on this issue.

Financial Implications

19. Our work on modern slavery in 2019/20 will be funded within the existing team policy budget, although holding a number of further awareness raising events would require specific funding.

Next steps

20. Cllr Alan Rhodes, the SSCB tackling modern slavery champion, will be holding an introductory meeting with Dame Sara later on 2 September to discuss in more detail future joint work with the OIASC.
21. Following these meetings, officers will develop proposals for taking forward the ideas discussed. It is expected that the tackling modern slavery champion will continue to oversee this work on behalf of the Board.