

Subject:	Anti-slavery pledge		
Date of Meeting:	22 October 2020 24 September 2020 – Tourism, Equalities, Communities & Culture Committee		
Report of:	Interim Executive Director for Housing, Neighbourhoods & Communities		
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Ward(s) affected:	All		

FOR GENERAL RELEASE**1. PURPOSE OF REPORT AND POLICY CONTEXT**

- 1.1 The Modern Slavery Act came into effect in 2015. It covers offences of human trafficking, labour exploitation (slavery / forced or compulsory labour), domestic servitude, sexual exploitation and criminal exploitation. Brighton & Hove City Council is a designated First Responder agency and is subject to the Duty to Notify the Home Office – as the Single Competent Authority - of all potential victims of modern slavery and human trafficking in the city.
- 1.2 The Sussex Anti-Slavery Network is a regional network consisting of Sussex Police, the Office of the Sussex Police & Crime Commissioner, all local authorities in Sussex (including districts and boroughs), other law enforcement agencies and the community and voluntary sector. The Home Office is encouraging all local authorities to sign up to the Anti-Slavery Pledge spearheaded by Birmingham City Council in 2019 in advance of Anti-Slavery Day 2020 (18th October). This work is being coordinated locally by the Sussex Anti-Slavery Network. The draft Brighton & Hove City Council anti-slavery pledge and statement of intent seeks to clearly demonstrate the city's legal and moral duties to do all it can to end all forms of modern slavery and human trafficking in Brighton & Hove.

2. RECOMMENDATIONS:

- 2.1 That the Committee recommends to Full Council that Brighton & Hove City Council signs up to the Anti-Slavery Pledge and statement of intent as drafted (appendices one and two refer).
- 2.2 That the Committee recommends to Full Council that it appoints an elected member to champion the work required under the auspices of the pledge.

3. CONTEXT/ BACKGROUND INFORMATION

- 3.1 Brighton & Hove City Council has been a designated First Responder agency since 2015. It is clear that there is some understanding of modern slavery and

human trafficking across the organisation and council staff have referred some potential victims into the National Referral Mechanism (NRM) for the Single Competent Authority (Home Office) during that time period. It is recognised nationally that the number of NRM referrals made do not fully reflect the true scale of the issues that we have in the country in relation to these crime types.

- 3.2 The city's Community Safety & Crime Reduction Strategy 2020-23 has an exploitation theme for the first time which includes modern slavery and human trafficking out of recognition that this is a priority area of the Community Safety Partnership Board together with the Safeguarding Adults Board and Safeguarding Children Partnership Board.
- 3.3 The latest Government data tells us that in 2019-20 the total number of UK NRM referrals was 10,627. This has increased from just 711 in 2010 (when this type of recording began). In 2019-20 this was a UK total of 5860 adult referrals and 4545 referrals for children. Brighton & Hove City Council submitted six in total (one adult, five children) which is one less from 2018-19. In comparison, East Sussex County Council submitted two (child) referrals for 2019-20 (none in 2018-19), West Sussex County Council submitted ten (child) referrals for 2019-20 (none in 2018-19) and Sussex Police submitted 39 adult and 61 child referrals for 2019-20 (47 in 2018-19). It is clear there is more work to be done to ensure NRM referrals are being made for all potential victims of modern slavery and human trafficking.
- 3.4 Brighton & Hove City Council established a Modern Slavery Steering Group in 2019 chaired by the Community Safety Team with representation from key council services including Adult Social Care, Children's Services and Housing Options. The primary function of this group was to develop a modern slavery referral pathway that all council staff can use to refer potential victims of modern slavery into so that they can be interviewed by specially trained staff to determine if they are potential victims and if so to refer them into the NRM. This referral pathway was introduced on 1st April 2020 and since then it has received four notifications from Housing Options related to adults (believed to be labour exploitation) and four notifications from Children's Services related to children (believed to be criminal exploitation – namely 'county lines'). This already exceeds what was submitted by Brighton & Hove City Council in the whole of the previous financial year.
- 3.5 As a First Responder agency Brighton & Hove City Council has a Duty to Notify the Home Office under Section 52 of the Modern Slavery Act 2015. As a local authority the council is encouraged to publish a supply chain transparency statement under Section 54 of the Modern Slavery Act 2015 which, whilst this is not currently a legal Duty, it is expected to become one in the near future.
- 3.6 The Sussex Anti-Slavery Network has agreed a set of key performance indicators to enable progress to be tracked and monitored. These indicators include senior buy-in (elected members, senior officers), attendance at the Network, number of specially trained staff, a clear external and internal modern slavery policy, transparency around supply chain, availability of appropriate modern slavery training, monitoring of S.52 Duty to Notify and a strategic working group to oversee this work. At the time of writing both of the county councils in Sussex have committed to signing this pledge in time for Anti-Slavery Day 2020.

- 3.7 The draft pledge and statement of intent are based on the Birmingham City Council documents which are recommended as best practice by the Home Office. The documents contain clear activities to ensure the council is doing all it can to tackle all forms of modern slavery in the city and the actions outlined in the statement of intent inform the council's Modern Slavery Steering Group's action plan. The Steering Group is co-chaired by the Head of Safer Communities and Exploitation Coordinator on behalf of the local authority.
- 3.8 The draft Anti-Slavery Pledge can help to support some of the activity of the Anti-Racism Pledge in terms of focusing on supporting Black, Asian and Minority Ethnic (BAME) businesses through council procurement and encouraging local support; and working with BAME communities and groups to agree our approach to different statues, plaques and street names.
- 3.9 There is limited hard data to demonstrate the impact COVID-19 has had on exploitation within Brighton & Hove although this is currently being developed as a priority area as part of the Exploitation Action Plan as part of the Community Safety & Crime Reduction Strategy. However, Sussex Police undertook a specific police operation named Apollo to gather partnership intelligence across the county to increase understanding of the impact COVID-19 has had on drug supply and demand. This clearly has an impact on potential exploitation in relation to Organised Crime Groups, gangs and criminal networks. Some of the information received from CGL (Change, Grow, Live who are commissioned to deliver the Brighton & Hove Substance Misuse Recovery Service) and St Mungos (who are commissioned to deliver homelessness outreach work) identified that drug supply was interrupted by COVID-19 initially which may lead to an increase in exploitation tactics and potentially serious violence due to debt entrapment.
- 3.10 The Community Safety Team has had increasing engagement with commissioned supported accommodation providers within the city and it appears that there has been an increase in the criminal and sexual exploitation of vulnerable women particularly.
- 3.11 Additionally, there are concerns that refugees, migrants and asylum seekers with no recourse to public funds will be increasingly driven into forms of exploitation (such as nail bars, food delivery, car washes, farming, etc.) because of increasing poverty. This is something that is being closely monitored by the local authority as part of the city's COVID recovery plans.
- 3.12 Further to the Cooperative Party's Notice of Motion to sign up to a Charter Against Modern Slavery (presented to the [Policy, Resource & Growth Committee in October 2018](#)) progress has been made in relation to improving practices of the council's corporate procurement service including identifying a lead officer to develop the organisation's position related to S.54 of Modern Slavery Act 2015 to have clear and transparent supply chains. This is not currently a statutory duty for local authorities however this is expected to change in coming months and therefore this is a key component to the ongoing work of the Modern Slavery Steering Group described previously. A Modern Slavery Coordinator was recruited for a fixed-term contract to ensure compliance with S.52 of Modern Slavery Act 2015 to notify Home Office of all potential victims and this work is

now overseen by the Exploitation Coordinator (a permanent post) to drive this work forward including the delivery of multi-agency training around spotting the signs of modern slavery and trafficking and how to refer using the online portal (National Referral Mechanism). The Anti-Slavery Pledge and associated documents presented to this committee update on the auspices of the previous Notice of Motion and bring it in line with recommended national best practice based on the ongoing developing picture as directed by the Home Office in the past 12 months.

4. ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS

- 4.1 No other alternative option was considered as only close partnership working with strong leadership between the council, other public bodies and the community and voluntary sector can ensure that the city as a whole tackles exploitation in all its forms.

5. COMMUNITY ENGAGEMENT & CONSULTATION

- 5.1 There has been no consultation in the compiling of this report due to the nature of the pledge being for Brighton & Hove City Council only. However, members of the Modern Slavery Steering Group will undertake community engagement as part of their activity to deliver on the actions in the statement of intent as required.

6. CONCLUSION

- 6.1 Brighton & Hove City Council prides itself as a safe and welcoming destination for visitors, residents and businesses as recognised by its City of Sanctuary status. The Anti-Slavery Pledge is a public statement that the council seeks to build on this – together with partner organisations – to eradicate all forms of modern slavery and trafficking in the city.

7. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

- 7.1 There are no member expenses attached to the role of modern slavery champion.
- 7.2 There are no specific financial implications arising from the report. Any activity or actions required in supporting the Anti-Slavery Pledge can be delivered from within the Council's existing resources.

Finance Officer Consulted: Michael Bentley

Date: 08/07/20

Legal Implications:

- 7.3 Council Committees do not have delegated powers to sign up to charters, alliances or pledges on behalf of the Council. All such requests must instead be referred to Full Council. Other legal implications are set out in the body of the report.

Equalities Implications:

- 7.4 Modern slavery and human trafficking often target the most vulnerable and isolated in society, so the legally protected characteristics of disability, ethnicity, age, sex/gender are particularly relevant here, as well as other social inclusion issues relating to poverty, debt, and housing and migration status. This focused and partnership-based approach will ensure better co-ordination and sharing of intelligence to enable more effective interventions. Ongoing assessment of who is most vulnerable and most harmed by modern slavery will continue throughout the work.

Sarah Tighe-Ford (Equalities Manager) Date: 26/08/20

Sustainability Implications:

- 7.5 There are no sustainability implications identified at this stage.

Brexit Implications:

- 7.6 There are no Brexit implications identified at this stage.

Crime & Disorder Implications:

- 7.7 The Local Government Association produced guidance about how local authorities are expected to tackle modern slavery in 2019. This guidance states that modern slavery is a serious, complex and often organised crime. Under Section 17 of the Crime and Disorder Act councils have a duty to do all that they reasonably can to prevent crime and disorder in their areas, which will include modern slavery and trafficking. There are a range of crimes where councils may come across victims of modern slavery, including county lines, child sexual exploitation, gangs, violent crime, drugs and begging, amongst others. Many parts of the council have powers of entry and inspection that can be used to disrupt the activities of traffickers and criminal networks including trading standards, environmental health, planning enforcement and housing inspection.

The local authority has a significant role to play in leadership and coordination of the close partnership working with other public bodies and the community and voluntary sector.

Risk and Opportunity Management Implications:

- 7.8 This risk is one that all services should be aware of as part of their usual delivery and planning. The city council's Strategic Risk Register does not include reference to or actions relating to modern slavery and human trafficking and there is no specific risk register on this that the City Council's Risk Management Lead is aware of.

Public Health Implications:

- 7.9 All forms of exploitation described earlier in this report have significant public health implications such as poverty, mental health, substance misuse, sexual abuse, serious violence, criminal exploitation and cuckooing of children and vulnerable adults. The Home Office Serious Violence Strategy considers all of these as symptoms of serious violence and advocates a public health preventative approach to tackling this.

Corporate / Citywide Implications:

- 7.10 Section 52 of the Modern Slavery Act 2015 specifies that a public authority (within the designated list) must refer the details of every person for whom they have reasonable grounds to believe is a victim of a S.1 or S.2 MSA offence. Our combined, effective and meaningful interoperability seeks to ensure that professionals are sighted on all the relevant information and scenarios that might provide those grounds. If a person should have been recognised as a victim and was not referred, then it is possible that the “first responder organisation” can be accused of failing to carry out its legal responsibilities. Our pledge is calculated to be a catalyst to identify more accurate referrals and for the chances of legal action taken to be avoided.
- 7.11 Article 4 of the European Court of Human Rights (S.58 + 63,64) provide a procedural obligation for the state to take operational measures and meaningfully investigate all credible information that suggests a person’s rights are being breached. Our joined-up efforts in respect of recognising, researching, sharing and escalating our response to “credible suspicion” of a A4 violation is crucial for the welfare of any victim, pursuit of offenders and to demonstrate that our efforts are effective, timely and does not rely on victim disclosure. We are supposed to implement sufficiently skilled approach to do the job where victims will not or cannot disclose / testify). Local authority personnel within the combined safeguarding and vulnerability agenda may well be the first, most skilled and best placed to raise credible suspicion and context that leads to investigation. Where this fails, victims may take legal action against the authorities for failing to adequately investigate. The pledge consequently seeks to maximise the chances that credible suspicions are raised sufficiently to enable a sound, joined up and timely tactical approach by the law enforcement community.

SUPPORTING DOCUMENTATION

Appendices:

1. Anti-Slavery Pledge
2. Anti-Slavery Statement of Intent

Background Documents

1. None