

Brighton and Hove City Council

Modern Slavery Statement for the financial year ending 2022/2023 [DRAFT]

Introduction

In 2022 the latest Global Estimates of Modern Slavery reported that there were 50 million people living in modern slavery in 2021. Of these, an estimated 28 million were said to be exploited in forced labour in all areas of the private economy. Research suggests that there has been a significant increase in the number of people trapped in modern slavery in the last five years. The problem of modern slavery is endemic in local and global supply chains, with current and emerging research, evidence and data shining a light on high-risk areas within the UK and beyond.

As a public sector body, Brighton & Hove City Council recognises that we have a duty to ensure that public money is spent responsibly and to ensure that our activities are conducted in an ethical, responsible, and sustainable manner.

In Brighton & Hove, we are aiming to achieve a fairer city with a sustainable future. This includes: a city to call home; a city working for all; a stronger city; a growing and learning city; a sustainable city; and a healthy and caring city. Our [Corporate Plan for 2020 to 2023](#) details how we aim to create a fairer and sustainable city.

In line with our organisational values and strategies, we are actively working towards mitigating the risks of modern slavery in our operations and supply chains and in doing so, aim to influence the behaviour of those who we do business with to protect vulnerable workers from exploitation and abuse.

Brighton & Hove City Council understands that there are several ways modern slavery can exist within supply chain activities, namely, in the goods that are procured as well as vulnerable workforces and people performing obligations under a contract. The Council understands that poor labour and employment practices - while they may not be considered modern slavery, can escalate to more extreme forms of exploitation amounting to slavery practices if not addressed. Further, we recognise that while we do not condone any form of unethical and exploitative conduct, all organisations can be linked to exploitative practices through their activities, purchasing practices, and business relationships.

In our previous modern slavery statement, we expressed a commitment to doing more to address modern slavery risks within our operations and supply chains and reporting on the actions we undertake. Over the last financial year, we have aimed to demonstrate this commitment by progressing understanding of the problem of modern slavery within supply chains, looking more closely at our own spending to understand potential risks, and putting measures in place to strengthen our response.

This statement outlines the steps we have taken during the 2022 to 2023 financial year to mitigate these risks. This is pursuant to Section 54 (Transparency in Supply Chains) of the

Modern Slavery Act 2015 which requires certain organisations to publish an annual Modern Slavery Statement. This statement includes information on: our organisational structure and supply chains; policies in relation to modern slavery; due diligence measures to respond to this problem, including how we are assessing, prioritising and managing risks; how we monitor the effectiveness of actions taken; and training available to our staff.

This statement relates to the steps taken by the Council during the financial year 1 April 2022 to 31 March 2023

Our organisational structure and supply chains

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

- Economy, Environment and Culture
- Families, Children and Learning
- Health and Adult Social Care
- Housing, Neighbourhoods and Communities
- Strategy, Finance & City Regeneration Committee

As detailed in our previous statement, Brighton & Hove City Council have partnered with Surrey County Council and East Sussex County Council to establish Orbis Procurement – our 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 spends in local government with an expenditure circa £2 billion a year with external suppliers across the three local authorities. As we deliver a significant amount of our projects annually via our Orbis Procurement service, its contribution to our anti-slavery in supply chain activities is vital. Accordingly, this work is driven by our Orbis Procurement service for the benefit of the three authorities.

For each of the authorities where services are not procured directly by Council departments, we procure them via our Orbis Procurement service. This statement reports on activities related to these services. Further work will be required to map services procured outside our partnership and directly by Council departments. These services are often significantly lower in value and spend and are governed by the Council's procurement and contract standing orders. As noted in our 2021/2022 statement, 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 our Orbis Procurement partnership allows us to ensure adequate prioritisation of modern slavery risks and allocation of shared resources to respond to these risks.

During the 2022 to 2023 financial year the Council spent approximately **£354 million** with 3,985 suppliers, procured via Orbis Procurement's services on behalf of the Council.

Education, health & social care	£179 million
Assets and infrastructure	£91 million
Corporate & Business	£84 million

Our policies in relation to modern slavery

Brighton & Hove City Council recognises the importance of policies to communicate our commitments and expectations of our staff, suppliers, and those who we do business with, to effectively address modern slavery. We also recognise that modern slavery sits on the extreme end of the labour exploitation continuum. Therefore, we have several policies, procedures, and codes of conduct with respect to fair labour and employment conditions that work to prevent and respond to a range of issues, including modern slavery, in our operations and supply chains. This includes whistleblowing, recruitment, health and safety, and grievance policies. Details of these policies and their relevance to modern slavery can be found in the Annex.

Over the last financial year, our Orbis Procurement service conducted a review of our Supplier Code of Conduct to assess whether it is fit for purpose in addressing modern slavery and other ethical and sustainable issues within our supply chains. The Code of Conduct outlines the Council's expectations of suppliers with regards to ethical conduct when bidding for and delivering contracts. Following a review of the current Code and consultation with strategic procurement leads across the three authorities, we identified the need to refresh the Code to ensure that it adequately communicates our expectations of suppliers and that all procurement and contract management officers are aware of the Code and how to utilise it in their respective roles. Consequently, the Code and supporting guidance on implementation and monitoring compliance is currently being drafted.

Due diligence

Assessing and prioritising risks

To tackle potential labour abuse and modern slavery practices occurring in our operations and supply chains Brighton & Hove City Council, recognises the importance of understanding spend categories that may be at high-risk. Following a review of the three authorities 2021/2022 spend via our Orbis Procurement service, we have collectively identified areas to prioritise for further due diligence as construction, adult social care, facilities management, and waste (See below for description of categories). These were prioritised as a result of the risk of labour exploitation and modern slavery facing workers in the supply chain. They are known high-risk areas abusive labour and employment practices due to the type of industry and activity, nature of the workforce and supply chain model. Key issues highlighted by existing research and evidence on these sectors include complex subcontracting arrangements, third-party recruitment and inadequate employment checks, exploitation of workers by labour agencies, abuse of vulnerable migrant labourers and low-skilled workers. There have also been reports of poor forms of labour and employment practices and more extreme forms of exploitation amounting to forced labour and modern slavery generally in the sectors. This includes withholding of workers' wages, abusive working conditions, excessive overtime, and abuse of workers' vulnerabilities. Prioritising these categories will enable the Council to use its resources to bring about the greatest impact. Additionally, it will allow the Council to test its approach to mitigating modern slavery risks within supply chains.

Category	Description
Adult social care	Residential and living related care support for adults

Construction	Construction activity including construction works, building and maintenance works such as highway construction, construction of buildings, and road works
Facilities Management (FM)	Includes hard and soft FM activities such as maintenance works, cleaning services, and security
Waste	Includes activities such as waste removal and recycling

Managing risks

To ensure that we adequately manage potential risks, the Council have so far taken the following steps:

- We have amended all Orbis Public Law contract templates and purchase orders terms and conditions to include a clause on modern slavery. In performing obligations under the Contract, the clause requires suppliers to : comply with all applicable labour, employment, and modern slavery laws and regulations ; not engage in any activity, practice or conduct that would constitute certain offences under the Modern Slavery Act 2015 ; engage with their own direct subcontractors and suppliers on this issue; and notify the Council of any actual or suspected issues pertaining to slavery in the supply chain relevant to the contract.
- Through the Orbis Procurement partnership we established a task group to standardise Orbis tender documents to ensure alignment with the three authorities governance requirements. A review of a draft Invitation to Tender for Open Procedures is currently underway and includes a clause on modern slavery which outlines Brighton & Hove City Council's, commitment and actions to tackle it in our supply chains and our expectations for suppliers to have appropriate policies and procedures in place.
- Our joint use of a project management system with Surrey County Council and East Sussex County Council now includes a modern slavery triage process to allow for early identification of new projects which may be at high-risk for modern slavery. The system allows potential risky projects to be flagged and assessed early to ensure modern slavery elements are considered in the procurement project end to end.
- We have consulted extensively with external best practice and resources on modern slavery risk management (including guidance issued by central government) to tailor advice for our procurement and contract management teams. In addition to information on the areas we are prioritising for due diligence, our procurement guidance includes information and guidance on how modern slavery should be considered throughout the procurement lifecycle, the early identification of potential high-risk projects, how to assess compliance and quality of modern slavery statements and recognising purchasing practices which can unintentionally lead to poor working practices and modern slavery. Our contract management guidance includes additional information for contract managers on engaging with suppliers, performance indicators that could be incorporated into contract management activity and advice on the termination of contracts.

Measuring our performance

Brighton & Hove City Council have determined the following measurements to assess the effectiveness of our actions and progress taken to address modern slavery within our organisation and supply chains in upcoming financial years:

- Regular monitoring of modern slavery risks within our supply chain to inform our approach to mitigating risk
- Early identification of projects at high-risk for modern slavery
- Productive engagement with high-risk suppliers
- Training and capacity building of key supply chain management staff
- Number of cases uncovered in the supply chain and resulting response
- Monitoring implementation of supplier code of conduct once reviewed

As our efforts to mitigate modern slavery risks progress, Brighton & Hove City Council remain dedicated to developing firm measures that continuously advance and improve over time.

Training

While we already have modern slavery training on our e-learning platform, we identified the need to have a suite of training materials focusing on the specific issue of modern slavery in supply chains and the need for training that is consistent and relevant for key personnel, such as procurement staff, working across all Orbis partner authorities. Our Senior Policy Lead on Modern Slavery has initiated this work by developing a one-hour introductory e-learning course on modern slavery in supply chains and organisational response to this issue. We are currently establishing a new e-learning platform and will publish the training for all staff to access, including commissioners, contract managers and those working in human resources.

Separately, our Orbis Procurement's internal intranet now includes regular guidance developed by our policy lead, information, and content on modern slavery for our procurement teams to ensure that staff are kept informed and updated on the latest changes and developments in this area.

Approval of statement

- This statement has been approved by Strategy, Finance & City Regeneration Committee on XXXX. It will be reviewed and updated on an annual basis.

Signed by: XXXX

Date: XXXX

Annex: Organisational Policies

Policy	Relevance to tackling modern slavery
Council Constitution	Our Constitution describes the procedures which are followed to ensure that the Council acts in a way which is efficient, transparent, and accountable to local people. The Constitution is divided into several articles, which set out the basic rules governing the Council's business. The "Contract Standing Orders" is included in the Council's constitution and sets out how the Council authorises and manages spending and contracts with other organisations. This is relevant to tackling modern slavery as it requires consideration to be given to all tenders with respect to sustainability and social value issues.
Whistleblowing Policy	The Council is committed to applying the highest standards of openness, honesty, integrity, and accountability through the services it provides. However, the Council recognises that there is always the risk that things can go wrong. Therefore, the Council is keen to encourage those working for the Council, its elected and co-opted members, and members of the community to express their concerns when they think that there may be something seriously wrong regarding the activities of the council. This gives the Council the opportunity to stop any unethical or unprofessional practices or wrongdoing within the organisation. Our Whistleblowing Policy sets out how concerns about serious wrongdoing by the Council can be raised and how the Council will respond to these. This policy is important for individuals wanting to raise concerns about modern slavery and/or related issues.
Sustainability and Social Value	Our Sustainable Procurement Policy sets how sustainability will be embedded into every procurement process or purchasing decision. Relatedly, our Social Value Framework aims to maximise the social, economic, and environmental benefit of all public investments. Our framework is underpinned by a set of guiding principles which organisations from all sectors are encouraged to adopt. Our principles such as being inclusive in the way we work, supporting people in securing work and paying the Living Wage, and ensuring ethical standards of purchasing and delivering services is relevant to the anti-slavery agenda as they promote good work and procurement practices beyond the cost of a service.
Employee Code of Conduct	This Code sets out the responsibilities and rights of employees when carrying out their duties. This includes encouraging employees to raise concerns confidentially of malpractice and ensuring dignity and respect in their roles. The Code applies to employees of Brighton & Hove City Council, whether employed on a permanent, temporary, or casual basis. This Code of Conduct and the council's Behaviour Framework underpin these six organisational values by setting out in more detail the standard of behaviour expected of you as an officer whilst you are carrying out your duties. 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.
Health and Safety	The Council has various policies which aim to promote high standards and good practices in relation to health, safety, and welfare. This includes the Health and Safety Policy and Health and Safety Management Standard which sets out health and safety arrangements and responsibilities for all staff. These procedures 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.

Recruitment	<p>The Council's Recruitment and Selection Policy provides a framework to ensure the Council has a fair, objective, consistent and transparent recruitment, and selection process that promotes good practice and supports a proactive approach to equality and diversity. This policy applies to all individuals employed by Brighton & Hove City Council. Our recruitment policies include undertaking pre-employment checks such as reviewing references, verifying qualifications, conducting Disclosure & Barring Service checks where appropriate to the post, and Right to Work in the UK checks.</p> <p>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 checks undertaken as part of our recruitment and selection process are important for identifying potential vulnerabilities and victimisation.</p>
Grievance and Workplace Conflict	<p>The Council is committed to providing a working environment where individuals are treated with fairness, dignity and respect and will take all employee complaints seriously. The Grievance Procedure sets out the process and stages of dealing with concerns raised by employees, as soon as reasonably possible. This includes the right of workers to be advised and/or represented by a Trade Union representative, where requested.</p> <p>The Council also has a Dignity and Respect at Work Policy which aims promote a respectful and inclusive culture where everyone is treated with professionalism, dignity and respect and supporting a working environment and culture in which bullying and harassment, will not be tolerated.</p> <p>Grievance mechanisms are important to tackle modern slavery as it involves an additional route by which employees can raise complaints or concerns. Additionally, as victims of modern slavery are likely to be subject to forms of intimidation and threats and degrading and humiliating conduct, the Dignity and Respect at Work Policy is particularly relevant to tackling modern slavery.</p>
Equality and Inclusion	<p>In addition to other Council policies such as those on recruitment and our Code of Conduct which includes equality and diversity within our organisation, the Council has an Equality and Inclusion Policy Statement and Strategy. This describes how we promote, facilitate, and deliver equality. The Council recognises that certain vulnerable, marginalised, and underrepresented groups are at a higher risk of poor labour and employment practices and therefore equality and diversity 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>Our Policy to Support Employees experiencing Domestic Violence & Abuse (DVA), or Sexual Violence (SV) sets out the Council's framework for supporting employees who have experienced or are experiencing DVA or SV and the steps the Council will take where it is alleged an employee has, or is, perpetrating this type of abuse. The policy covers elements of abuse such as controlling and coercive behaviour. While this policy focuses specifically on domestic abuse, it is important for tackling modern slavery as cases may share similar indicators of abuse.</p>
Trade Unions	<p>The Council has adopted a policy of seeking mutually acceptable solutions to employee relations problems by discussion and agreement and recognises that effective collective bargaining, negotiation, consultation, and communication can be best achieved at a local level between union representatives, union members and management. The Council has a Trade Union Facilities Agreement with recognised trade unions representing our employees. This agreement ensures that facilities such as paid time off are available to ensure that union representatives can carry out their duties.</p>

	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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