

**Manchester City Council
Report for Information**

Report to: Ethical Procurement and Contract Monitoring Sub Group - 31 July 2019

Subject: Update on Modern Slavery

Report of: City Treasurer (Deputy Chief Executive)

Summary

To provide Members with an update on the activities to address Modern Slavery

Recommendations

Members are requested to note and comment on the report, in particular the draft Slavery and Human Trafficking Statement shown in appendix 3.

Wards Affected – All

Manchester Strategy outcomes	Summary of the contribution to the strategy
A thriving and sustainable city: supporting a diverse and distinctive economy that creates jobs and opportunities	The Council is committed to improving engagement with Small – Medium organisations, voluntary sector and charitable organisations, and where appropriate tenders will be adapted to their needs, particularly with regard to dividing large contracts into lots, in accordance with the Public Contract Regulations 2015
A highly skilled city: world class and home grown talent sustaining the city's economic success	Provide better Health and Wellbeing for Manchester residents through promotion of fair working conditions, better training opportunities and sustainable economic growth.
A progressive and equitable city: making a positive contribution by unlocking the potential of our communities	The Council favours an asset based approach which looks at the uniqueness of people, their potential skills, assets, relationships and community resources. This approach concentrates primarily on what is important to people, what they want to do, and the strengths and nature of their social networks. This underpins wider Council priorities of building self-reliance and strengthening communities.
A liveable and low carbon city: a destination of choice to live, visit,	The supplier, service provider and contractor endeavour to purchase through suppliers and

work	contractors who are continuously working at improving labour and environmental standards in the supply chain.
A connected city: world class infrastructure and connectivity to drive growth	Through commissioning and procurement activities this will promote Manchester as an attractive place to work by securing wider benefits and improvement to the lives of people in Manchester and the environment.

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Background documents (available for public inspection):

The following documents disclose important facts on which the report is based and have been relied upon in preparing the report. Copies of the background documents are available up to 4 years after the date of the meeting. If you would like a copy please contact one of the contact officers above.

N/A

1.0 Background

- 1.1 The report provides an update on the arrangements within the Council's procurement process to safeguard against Modern Slavery.
- 1.2 The report focuses on the amendments to the tender documentation in the first instance. It is recognised, however, that the contract management arrangements which follow are essential to the effective monitoring of the position and identifying any concerns or issues which may arise.

2.0 Ethical (Procurement) Policy

- 2.1 Following the annual review in 2017 of the Council's Ethical (Procurement) Policy it was agreed to strengthen the wording relating to the Modern Slavery Act 2015 (the Act), as follows:

As part of Local Government, the Council recognises that it has a responsibility to take a robust approach to slavery and human trafficking. In addition to the Council's responsibility as an employer, it also acknowledges its duty as a City Council to notify the Secretary of State of suspected victims of slavery or human trafficking as introduced by section 52 of the Modern Slavery Act 2015.

The Council is absolutely committed to preventing slavery and human trafficking in its corporate activities and to ensuring that its supply chains are free from slavery and human trafficking. The Council requires that all direct suppliers, service providers and contractors to the Council are absolutely committed themselves to preventing Slavery within their own activities.

- 2.2 All of the Council's tender documents include a link to the Council's Ethical (Procurement) Policy. The Policy has also been uploaded onto the Council's E Tendering Portal for all candidates and tenderers to access when responding to a tender.
- 2.3 The Council's Ethical (Procurement) Policy can also be found on the Council's website (link to website - Ethical (Procurement) Policy)¹.

3.0 Modern Slavery within the Procurement Process

- 3.1 Commercial organisations which must prepare a modern slavery and human trafficking statement are defined within Section 54 of the Act, which relates to organisations that:
 - carry on a business, or part of business, in the UK;
 - supply goods or services; and
 - have an annual turnover of £36 million or more
- 3.2 The Government's Standard Questionnaire in line with the European Public

¹ https://secure.manchester.gov.uk/downloads/download/6446/ethical_procurement_policy

Contracts Procurement Rules 2015, requires bidders to confirm and provide details if:

within the past five years you, your organisation or any other person who has powers of representation, decision or control in the organisation been convicted anywhere in the world of child labour and other forms of trafficking in human beings, and within the past three years, anywhere in the world any of the following situations have applied to you, your organisation or any other person who has powers of representation, decision or control in the organisation.

- *breach of social obligations*
- *breach of labour law obligations*
- *guilty of grave professional misconduct*

3.3 The Council's tender template includes Ethical Values. It requires tenderers to respond to a set of ethical questions that informs the Council of their commitment to preventing slavery and human trafficking within their own organisation and the supply chain(s) they use to support their activities. A copy of this section is attached as Appendix 1.

3.4 The Council issued amended Standard Terms and Conditions in June 2019, to include for whistleblowing and Modern Slavery Act 2015 as follows:

Whistleblowing and Modern Slavery Act 2015 (Extract)

35.1 The Contractor shall implement and maintain a whistleblowing policy which complies with applicable Law. The policy shall:

- (i) set out procedures by which staff can confidentially report concerns about illegal, unethical or otherwise unacceptable conduct; and*
- (ii) ensure that it enables the staff to bypass the level of management at which the problem may exist.*

35.2 The Contractor shall comply with the provisions of the Modern Slavery Act 2015 and shall take such steps as is necessary to promote ethical business practice and policy to protect employees and workers from abuse and exploitation. The Contractor shall use all reasonable endeavours to ensure that slavery and human trafficking is not taking place in its supply chains.

4.0 Raising Awareness of the Modern Slavery Act 2015 through the Council's Ethical Procurement Policy

4.1 The Ethical Procurement Policy has been promoted at a number of events as shown in Appendix 2.

5.0 Modern Slavery Statement

- 5.1 The Council is not required, by the Modern Slavery Act 2015, to have a Slavery and Human Trafficking Statement although a number of authorities have issued a voluntary statement. At the meeting of Resources and Governance Scrutiny Committee on 10 January, 2019 it was proposed that the Council produce a voluntary Slavery and Human Trafficking Statement. This has now been drafted and is included at Appendix 3 for consideration.
- 5.2 The Slavery and Human Trafficking Statement is a working document which will be reviewed and updated over the next 12 months.

6.0 Recommendations

- 6.1 The recommendations appear at the front of this report.