

ABERDEEN CITY COUNCIL

COMMITTEE	Communities, Housing and Public Protection
DATE	6 July 2023
EXEMPT	No
CONFIDENTIAL	No
REPORT TITLE	Modern Slavery
REPORT NUMBER	COM/23/211
DIRECTOR	Gale Beattie
CHIEF OFFICER	Jenni Lawson
REPORT AUTHOR	Deirdre Nicolson
TERMS OF REFERENCE	2

1. PURPOSE OF REPORT

- 1.1 To update the Committee on the current status of the Modern Slavery Act 2015 and related matters.

2. RECOMMENDATION(S)

That the Committee:-

- 2.1 Note the current status of the Modern Slavery Act 2015, proposed legislative changes and the review of what other major public institutions have in place.

3. CURRENT SITUATION

- 3.1 Following a Notice of Motion submitted by Councillor Ali to the Council meeting of 26 April 2023, the Council noted that modern slavery affects millions of people globally. The Council also noted that only parts of the Modern Slavery Act 2015 apply to Scotland, but that, as a public body, it should uphold the highest possible ethical standards, and contribute to the elimination of this scourge on our society.
- 3.2 The Council instructed the Chief Executive to report to the Communities, Housing and Public Protection Committee on the current status of the Modern Slavery Act 2015 including any proposed legislative changes and a review of what other local authorities, across the UK, and other major public institutions (e.g. universities, charities, devolved/national governments etc.) have in place and the impact thereof.

What is Modern Slavery?

- 3.2 The Home Office has issued [Modern Slavery: Statutory Guidance for England and Wales \(under s49 of the Modern Slavery Act 2015\)](#) and [Non-Statutory Guidance for Scotland and Northern Ireland](#). The key points are that:
- Modern slavery encompasses human trafficking and slavery, servitude and forced or compulsory labour;
 - Human trafficking consists of three basic components: action, means and purpose of exploitation. All three components must be present in an adult trafficking case; for child trafficking the 'means' component is not required;
 - In human trafficking cases, exploitation can take many forms, including: sexual exploitation, forced labour, slavery, servitude, forced criminality and removal of organs;
 - Some people may not be victims of human trafficking but still victims of modern slavery if they have been subject to slavery, servitude and forced or compulsory labour;
 - Human trafficking is not the same as human smuggling; and
 - There are common myths about modern slavery, such as misconceptions that UK nationals cannot be victims and that a person cannot be a victim if they reject offers of help.
- 3.3 [Walk Free](#) has recently published the Global Slavery Index 2023 which shows which countries are most vulnerable to modern slavery, and government responses to modern slavery. It also includes data about imports and modern slavery statements.

Modern Slavery Legislation

- 3.4 The UK Parliament has enacted the Modern Slavery Act 2015. The majority of its provisions apply only to England and Wales. Some provisions in respect of maritime enforcement, the Independent Anti-Slavery Commissioner and transparency in supply chains (TISC) also extend to Northern Ireland and Scotland.
- 3.5 The UK Government issued a 29-page [Modern Slavery Statement](#) in March 2020. The statement sets out the government's efforts towards eradicating modern slavery from its supply chains, including direct engagement with around 400 suppliers and delivering training to over 250 government commercial staff. A [report](#) covering the progress ministerial government departments have made on implementing the 13 ambitious goals set out in the government modern slavery statement was issued in November 2021.
- 3.6 The obligation to publicise modern slavery statements applies to commercial organisations. As such, Scottish public bodies are not currently required to publicise such statements. In June 2022, the Scottish Government [sought views](#) on proposals to extend reporting requirements to Scottish public bodies for the publication of modern slavery statements as part of work to improve transparency in supply chains (TISC). The consultation also requested views on reporting mechanisms and enforcement. The [results](#) of the Consultation were published in December 2022. The time frame for any amendments to

current legislation is not yet known as further news on a proposed UK Modern Slavery Bill is awaited. The proposed UK Bill has not yet been introduced.

- 3.7 Under the devolution settlement for Scotland, responsibility for the policy and legislative response to modern slavery rests with the Scottish Government and Scottish Parliament.
- 3.8 The Scottish Parliament has enacted the Human Trafficking and Exploitation (Scotland) Act 2015 to consolidate and strengthen the existing criminal law against human trafficking and exploitation and enhance the status of and support for its victims. The Act also gives Ministers power, by regulations, to specify relevant public authorities who must notify the chief constable of the Police Service of Scotland about a person who is, or appears to be, a victim of an offence of human trafficking or slavery, servitude and forced or compulsory labour. This part of the Act is not yet in force. A consultation took place in 2019, the results of which are available [here](#).
- 3.9 The Scottish Government published its [Trafficking and Exploitation Strategy](#) for Scotland in May 2017. The strategy's main themes were to:
- identify victims and support them to safety and recovery;
 - identify perpetrators and disrupt their activity; and
 - address the conditions, both local and global, that foster trafficking and exploitation.
- 3.10 Since the introduction of the strategy, [three annual reports](#) have been issued.
- 3.11 In addition to the Modern Slavery Act 2015 and the Human Trafficking and Exploitation (Scotland) Act 2015, local authorities have broader powers and duties which can assist in tackling modern slavery and human trafficking. [Guidance](#) issued to local authorities by COSLA's [Migration Scotland](#) lists the following powers and duties:

Function and legislation	Overview
Procurement	Councils' procurement activities must be conducted in a fair and transparent manner with due respect for fair work policies, in an effort to avoid buying into supply chains that are susceptible to human trafficking or exploitation.
Licensing and regulatory powers	Councils' powers to license and regulate services include, but are not limited to, taxi operators and drivers, public entertainment, street traders, sex shops and sexual entertainment venues. Councils have the authority to deny a license where there is suspicion that the proprietor is complicit in criminal activity. Further

	provisions give local authority officers the right of entry and inspection; and license holders who are found to be conducting criminal activities are liable to conviction.
Planning	Councils can issue enforcement notices if it appears there has been a breach of planning control; and authorised persons can, at a reasonable hour, enter land for investigatory and enforcement purposes.
Housing	Councils have a duty to carry out inspections of properties they hold to identify overcrowding. Landlords and occupiers are guilty of an offence if they cause or permit overcrowding and local authorities have a duty to enforce provisions in legislation regarding overcrowding. Local authorities have a duty to carry out secure accommodation for individuals who present themselves as homeless and carry out assessments to prevent and alleviate homelessness in their areas, thereby seeking to mitigate the conditions that can lead to vulnerable people being exploited.
Adult and child protection	Local authorities have duties to support vulnerable groups, which can mitigate against conditions that make people vulnerable to exploitation.

3.12 Despite there being no requirement on local authorities to publish modern slavery commitments, some local authorities have voluntarily published information on their websites.

3.12.1 The City of Edinburgh Council has issued [Modern Slavery Commitments](#) which set out their commitments to combating and preventing human trafficking and slavery in their corporate activities.

3.12.2 Glasgow City Council directs [members of the public who have concerns](#) to the [Modern Slavery Helpline](#).

- 3.12.3 Angus Council has a [Missing, Trafficking and Exploitation Strategy 2018](#).
- 3.12.4 Dundee City Council signposts users to [Unseen](#) which is a UK charity with its head office in Bristol who provide safehouses and support in the community for survivors of trafficking and modern slavery. Unseen also run the UK Modern Slavery & Exploitation Helpline and work with individuals, communities, business, governments, other charities and statutory agencies.
- 3.12.5 South Lanarkshire Council has a [Modern Slavery Charter](#) which focusses on procurement.

Major Public Institutions

- 3.13 The University of Aberdeen has issued a [Modern Slavery & Human Trafficking Statement](#) which *“reflects our commitment to act ethically, transparently and with integrity in all our business dealings and relationships, to implement the UN Guiding Principles on Business and Human Rights, and to establish and maintain effective systems and controls which ensure the University is not contributing to modern slavery in any way.”* The statement focusses on the procurement activities of the University.
- 3.14 Robert Gordon University issues an annual [Modern Slavery Statement](#) as part of its commitment to establishing practices to combat slavery and human trafficking. The statement focusses on the procurement activities of the University.
- 3.15 Police Scotland have issued their commitment to [Human Trafficking and Modern Slavery](#).
- 3.16 Scottish Ambulance Service have issued a [Modern Slavery Statement](#) which focusses on recruitment and procurement activities.
- 3.17 NHS Education for Scotland have issued a [Modern Slavery Statement](#) which also focusses on recruitment and procurement activities.

Impact

- 3.18 [Aberdeen City Council Public Protection Committee](#) considered a thematic report from Police Scotland on Human Trafficking at its meeting on 9 May 2018 which included information on instances of human trafficking reported in the City.
- 3.19 Given the available data on the extent and range of Modern Slavery, the impact of the levers currently available to local authorities is difficult to assess. It is also worth noting that [WalkFree](#) have assessed the UK’s approach to be the most active:



However they have also noted that:

“Nearly every government in the world has committed to eradicating modern slavery through their national legislation and policies, yet progress has largely stagnated since 2018.

“While it is everyone’s responsibility to address modern slavery, governments have a central role to play by enacting legislation, providing safety nets for their population, and pursuing criminals who participate in these hideous crimes.”

4. FINANCIAL IMPLICATIONS

4.1 While supply chain management is a key element in reducing global instances of modern slavery, there are no direct financial implications arising from the recommendations of this report.

5. LEGAL IMPLICATIONS

5.1 While the Council’s wider statutory powers and duties may contribute to reducing modern slavery, there are no direct legal implications arising from the recommendations of this report.

6. ENVIRONMENTAL IMPLICATIONS

6.1 There are no direct environmental implications arising from the recommendations of this report.

7. RISK

The assessment of risk contained within the table below is considered to be consistent with the Council’s Risk Appetite Statement.

Modern slavery is clearly a matter of the utmost gravity. However, because this report is simply recommending the noting of certain matters, no significant risks are identified in relation to that particular recommendation.

Category	Risks	Primary Controls/Control Actions to achieve Target Risk Level	*Target Risk Level (L, M or H) *taking into account controls/control actions	*Does Target Risk Level Match Appetite Set?
Strategic Risk	No significant risks identified	N/A	N/A	Yes
Compliance	As above	N/A	N/A	Yes
Operational	As above	N/A	N/A	Yes
Financial	As above	N/A	N/A	Yes
Reputational	As above	N/A	N/A	Yes
Environment / Climate	As above	N/A	N/A	Yes

8. OUTCOMES

The proposals in this report have no impact on the Council Delivery Plan.

9. IMPACT ASSESSMENTS

Assessment	Outcome
Integrated Impact Assessment	Not required
Data Protection Impact Assessment	Not required
Other	Not applicable

10. BACKGROUND PAPERS

- 10.1 [Public Protection Committee 9 May 2018: Thematic Report: Human Trafficking Thematic Report - Human Trafficking Aberdeen City 2.pdf](#)
- 10.2 [Modern slavery - GOV.UK \(www.gov.uk\)](http://www.gov.uk)
- 10.3 [Tackling Human Trafficking in Scotland | Migration Scotland](#)

11. APPENDICES

None

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