



NORTH HERTFORDSHIRE DISTRICT COUNCIL

14 June 2019

Our Ref HD Cabinet 27.06.19
Your Ref.
Contact. Hilary Dineen
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To: Members of the Cabinet:

Councillor Martin Stears-Handscomb, Leader of the Council (Chairman)
Councillor Paul Clark, Deputy Leader of the Council and Executive Member for Planning and Transport (Vice-Chair)
Councillor Ian Albert, Executive Member for Finance and IT
Councillor Judi Billing MBE, Executive Member for Community Engagement
Councillor Elizabeth Dennis-Harburg, Executive Member for Recycling and Waste Management
Councillor Gary Grindal, Executive Member for Housing and Environmental Health
Councillor Keith Hoskins MBE, Executive Member for Enterprise and Co-Operative Development
Councillor Steve Jarvis, Executive Member for Environment and Leisure

Deputy Executive Members: Councillor Ruth Brown, Councillor Ian Mantle, Councillor Sam North, Councillor Helen Oliver, Councillor Sean Prendergast, Councillor Carol Stanier and Councillor Kay Tart

You are invited to attend a

MEETING OF THE CABINET

to be held in the

**COUNCIL CHAMBER, GERNON ROAD,
LETCWORTH GARDEN CITY**

on

THURSDAY, 27TH JUNE, 2019 AT 7.30 PM

****MEMBERS PLEASE ENSURE THAT YOU DOWNLOAD ALL
AGENDAS AND REPORTS VIA THE MOD.GOV APPLICATION
ON YOUR TABLET BEFORE ATTENDING THE MEETING****

Yours sincerely,

A handwritten signature in black ink, appearing to read 'J Thompson', with a long, sweeping horizontal line extending to the right.

Jeanette Thompson
Service Director – Legal and Community

Agenda **Part I**

Item	Page
1. APOLOGIES FOR ABSENCE	
2. NOTIFICATION OF OTHER BUSINESS Members should notify the Chairman of other business which they wish to be discussed by the Cabinet at the end of either Part I or Part II business set out in the agenda. They must state the circumstances which they consider justify the business being considered as a matter of urgency. The Chairman will decide whether any item(s) raised will be considered.	
3. CHAIRMAN'S ANNOUNCEMENTS Members are reminded that any declarations of interest in respect of any business set out in the agenda, should be declared as either a Disclosable Pecuniary Interest or Declarable Interest and are required to notify the Chairman of the nature of any interest declared at the commencement of the relevant item on the agenda. Members declaring a Disclosable Pecuniary Interest must withdraw from the meeting for the duration of the item. Members declaring a Declarable Interest, wishing to exercise a 'Councillor Speaking Right', must declare this at the same time as the interest, move to the public area before speaking to the item and then must leave the room before the debate and vote.	
4. PUBLIC PARTICIPATION To receive petitions, comments and questions from the public.	
5. CO-OPERATIVE COUNCILS INNOVATION NETWORK REPORT OF THE POLICY AND COMMUNITY ENGAGEMENT MANAGER To consider and approve the corporate commitment of the Council to joining the Co-operative Council Innovation network as a full member.	(Pages 5 - 12)
6. CABINET PANEL ON THE ENVIRONMENT REPORT OF: SERVICE DIRECTOR: LEGAL AND COMMUNITY & MONITORING OFFICER This report sets out the establishment, terms of reference and membership of a Cabinet Panel on the Environment.	(Pages 13 - 18)
7. MODERN DAY SLAVERY TRANSPARENCY STATEMENT & CHARTER AGAINST MODERN SLAVERY REPORT OF: SERVICE DIRECTOR: LEGAL AND COMMUNITY & MONITORING OFFICER This reports requests that the Cabinet consider the Modern Slavery Transparency in Supply Chain Statement ('Transparency Statement'), consider actions to date and a referral to Council to adopt the Charter Against Modern Slavery (the 'Charter').	(Pages 19 - 32)

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**CABINET
27 JUNE 2019**

***PART 1 – PUBLIC DOCUMENT**

TITLE OF REPORT: CO-OPERATIVE COUNCILS INNOVATION NETWORK

REPORT OF THE POLICY AND COMMUNITY ENGAGEMENT MANAGER

EXECUTIVE MEMBER: LEADER OF COUNCIL

COUNCIL PRIORITY: RESPONSIVE AND EFFICIENT

EXECUTIVE SUMMARY

1.1 The report sets out the corporate commitment of the Council to:

- i) joining the Co-operative Council Innovation network as a full member
- ii) As a full member North Hertfordshire District Council will be a co-operative council that builds the co-operative values of accountability, fairness and responsibility into everything it does.

2. RECOMMENDATIONS

2.1 That Cabinet recommend to Full Council that;

- i) North Hertfordshire District Council become a full member of the Co-Operative Innovation Network and adopt the networks co-operative values, and
- ii) to declare North Hertfordshire District Council a Co-operative Council.

3. REASONS FOR RECOMMENDATIONS

3.1 The Labour and Co-operative group of North Hertfordshire are currently associate members of the Co-operative Innovation network. With the recent change in administration, the Leader of the Council seeks to make the Council a full member of the Network.

4. ALTERNATIVE OPTIONS CONSIDERED

4.1 None.

5. CONSULTATION WITH RELEVANT MEMBERS AND EXTERNAL ORGANISATIONS

5.1 The administration has asked that this proposed corporate commitment is considered by Cabinet. This is with the view that approval of full membership of the Co-operative Innovation network is sought by full Council.

6. FORWARD PLAN

- 6.1 This report does not contain a recommendation on a key decision and has not been referred to in the Forward Plan.

7. BACKGROUND

- 7.1 It is widely acknowledged that that public sector faces unprecedented financial challenge. Funding to all local authorities has decreased significantly since 2010, and further future reductions in real terms are also possible.
- 7.2 As resources reduce and demand for services increase, there is real concern that a gap of provision will arise. i.e. a gap between the services that communities expect to receive and the services that local authorities will be able to deliver.
- 7.3 Against this financial position many local authorities acknowledge that there needs to be a more co-operative relationship between public services and the community. To this end several local authorities, who are committed to working more cooperatively for the benefit of their local communities, have come together to form the Co-operative Councils Innovation Network.

8. RELEVANT CONSIDERATIONS

- 8.1 As stated at the outset of the report, The Labour and Co-operative group of North Hertfordshire are currently associate members of the Co-Operative Innovation network. With the recent change in administration, the Leader of the Council seeks to make the Council a full member of the Network.
- 8.2 By becoming full members of the network, the Council will be able to access its shared resources, to share learning and develop ideas and processes to support innovative ways to provide services with reducing budgets.
- 8.3 The network also provides a national voice for similar minded local authorities to influence national debate and the formation of national policy regarding public services.

9. LEGAL IMPLICATIONS

- 9.1 The Cabinet's terms of reference include: 5.6.37 To advise the Council in the formulation of those policies within the Council's terms of reference. Council's terms of reference include 4.4.1 (t) arranging for the discharge of any other functions of the Authority which are not executive functions. Such general overarching issues, where not specified in terms of legislation, are better decided by the full membership.

10. FINANCIAL IMPLICATIONS

- 10.1 There would be an annual subscription fee of £4,990 to join the network. In considering the outturn on the revenue budget for 2018/19, That the transfer of £5k from the underspend on the General Fund to create a budget for joining the Co-operative Councils Innovation Network, subject to the approval of this report to Cabinet.

11. RISK IMPLICATIONS

- 11.1 There are no specific risks associated with the recommendation in this report. Being able to access the shared learning resources may help to reduce risks in the future. However it should be noted that the Council already undertakes a lot of idea sharing through existing formal and informal networks.

12. EQUALITIES IMPLICATIONS

- 12.1 In line with the Public Sector Equality Duty, public bodies must, in the exercise of their functions, give due regard to the need to eliminate discrimination, harassment, victimisation, to advance equality of opportunity and foster good relations between those who share a protected characteristic and those who do not.
- 12.2 The stated values of the Co-operative Council Innovation network seeks to benefit all within the community and are therefore underpinned by the aims of the Public Sector Equality Duty. Any service changes resulting from adopting a more co-operative will be subject to an equality impact assessment.

13. SOCIAL VALUE IMPLICATIONS

- 13.1 The Social Value Act and “go local” policy do not apply to this report.

14. HUMAN RESOURCE IMPLICATIONS

- 14.1 The Network has a ‘Policy Officer group’ that shares good practice and supports officers of member councils. This ought to increase the ability of officers to address the issues faced within the communities that they work in.
- 14.2 Service changes and collaborative working may increase or decrease the workload for teams and staffing implications will need to be considered for any future co-operative projects.

15. APPENDICES

- 15.1 Appendix A – Introducing the CCIN

16. CONTACT OFFICERS

- 16.1. Jeanette Thompson; Service Director: Legal & Community; Monitoring Officer
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- 16.2 Reuben Ayavoo; Policy and Community Engagement Manager
reuben.ayavoo@north-herts.gov.uk; ext 4212
- 16.3 Ian Couper; Service Director: Resources and s151 Officer
ian.couper@north-herts.gov.uk; ext 4243
- 16.4 Human resources: Help@north-herts.gov.uk

17. BACKGROUND PAPERS

- 17.1 None.

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A network of UK local authorities who are driving global municipal co-operative policy

Introduction

It is one of the most challenging periods in local government history. Public Sector funding continues to decline, and councils are having to look for innovative ways of providing services with reducing budgets.

The Co-operative Councils' Innovation Network (CCIN) was borne out of this uncertainty – a direct public sector response to delivering services differently, using the co-operative values and principles of self-help, self-responsibility, democracy, equality, equity and solidarity.

Who are we?

The Co-operative Councils' Innovation Network comprises 27 councils (inc two Town Councils) from across the UK who are committed to finding better ways of working for, and with, local people for the benefit of their local community.

The Network is a non-party-political active hub for co-operative policy development, innovation and advocacy which is:

- **Action-focused:** a vehicle for helping councils translate co-operative policy and principles into practice
- **Membership-based:** funded by modest membership subscriptions from its member councils
- **Open to all UK councils:** members share the belief that working co-operatively with communities holds the key

Our Members:

Our Member Councils represent 6.2m citizens and hold an annual directly managed budget of £8.2bn.

Bassetlaw District Council
 Bristol City Council
 Cardiff Council
 London Borough of Croydon
 Glasgow City Council
 Hull City Council
 Knowsley Metropolitan Borough Council
 Lambeth Council
 Liverpool City Council
 Milton Keynes Council
 Newcastle City Council
 Norwich City Council
 Oldham Council
 Plymouth City Council
 Preston City Council
 Rochdale Metropolitan Borough Council
 Royal Borough of Greenwich
 Salford City Council
 Sandwell Metropolitan Borough Council
 Southampton City Council
 South Tyneside Council
 Stevenage Borough Council
 Sunderland City Council
 Telford and Wrekin Council

Our Associate

to tackling today's challenges

- **Part of the local government family:** the network is a Special Interest Group registered with the Local Government Association where we work to promote innovation in local government.

The co-operative approach to public service

Few councils take the brave decision to tackle increasing austerity and challenges on their own front door step by investing to save – investing in communities and the power of people.

Co-operative Councils do just that and demonstrate this in their innovative approaches to service delivery. The co-operative business model allows people and communities to meet their needs and aspirations, offering a unique answer to contemporary problems.

We develop policy informed by real experience and practice, drawing on, influencing and framing national and international policy and political debates about the future of public services, local democracy, and communities across the country. It has huge potential for sharing its approach elsewhere in the UK and overseas. Our work recognises the need to define a new model for local government built on civic leadership, with councils working in equal partnership with local people to shape and strengthen communities; replacing traditional models of top down governance and service delivery with local leadership, genuine co-operation, built on the founding traditions of the co-operative movement: collective action, co-operation, empowerment and enterprise.

Members:

Edinburgh (Labour & Co-op Group)
 Gloucester (Labour Group)
 Greater Manchester Combined Authority
 Halewood Town Council
 Hillingdon (Labour & Co-op Group)
 Newcastle-under-Lyme (Labour & Co-op Group)
 North Hertfordshire District Council (Labour & Co-op Group)
 North Warwickshire (Labour Group)
 Peterborough (Labour Group)
 Staffordshire (Labour & Co-op Group)
 Woughton Community Council

Our Affiliate Members

Branding.coop
 BWB LLP
 C.Co
 Connected Space
 Co-operative College
 Co-operatives UK
 Governance International
 Locality
 Oxygen Finance
 PeopleToo
 Perform Green
 Public Service Transformation Academy
 RedQuadrant
 Royal Society of Arts
 SBI/E3M
 Sporting Assets
 The Behaviouralist
 Unlimited Potential

Context

People are paying more attention to their economic decisions – looking for ethical places to work, sell, and buy goods and services.

The co-operative business model is a proven self-help model. Co-operative enterprises play a major role in driving our economy; showing resilience in tough economic times by creating jobs, adapting to social change and their continuing growth and success. The International Co-operative Alliance tells us that our Network is unique. Only the UK has a network of councils committed to embedding the co-operative Values and Principles into mainstream action for the benefit of local people.

The Network is politically driven with elected councillors chairing and forming the Executive Oversight Committee and Values and Principles Board along with representatives of our Associate and Affiliate Membership. Individuals from the national co-operative sector sit on our Values and Principles Board providing insights and expertise. The Network has a 'Policy Officer Group' who share and support each other.

Our Supporter Members

Glyn Thomas JP FRSA

Our work programmes

Members are invited to propose work areas that they want the CCIN to focus on.

CCIN members you can apply for up to £10,000 to deliver a Policy Lab. Policy Labs are projects delivered in partnership with other members. In 2019 we have agreed to fund four Policy Labs:

- Co-operative Approaches to Sustainable Food – lead: Oldham Council
- Co-operatives Unleashed: as seen from the grassroots – lead: Plymouth City Council
- Co-operative Neighbourhoods – lead: Stevenage Borough Council
- Promoting the Cities of Service model of social action to CCIN members – lead: Plymouth City Council

We are also supporting a research piece from one of our Affiliate Members - Peopletoo.

Projects that received funding in earlier years can be viewed here: <http://www.councils.coop/projects/>

Join us

Join the CCIN to be part of a growing and influential network of councils committed to developing a new relationship with citizens. There is a growing interest, across the political spectrum, in how to share power and responsibility with citizens, support the development of community and civic life and find more cost-effective ways to create successful and resilient communities.

By becoming a member of the Network, you will:

- access the **latest ideas** and thinking about putting Cooperative principles into practice
- position your council as an **innovator**
- help to **influence** policy thinking at national level
- share examples of projects and initiatives and **learn from others** about what works
- co-produce **tools and techniques** to support the development of cooperative approaches
- be invited to **Cooperative Conferences** around the country where you can meet and work with peers
- join an **officer network** who are leading the development of new approaches
- have access to a cadre of ambitious **political leaders** who are trying to bring change to their communities
- access a growing body of **resources** on the new CCIN website
- be part of **regional and national networks** in England, Scotland and Wales
- join the **debate** on our active social media platforms
- access our multi-supplier **Consultancy Framework** of specialist organisations to help you develop policy, implement prototypes and build capacity when you need to move quickly and flexibly
- profile your council's **achievements** nationally

Types of Membership

Full Membership

Any Council that can demonstrate its commitment to developing new co-operative approaches to working with their community is welcome to apply as a full member.

Affiliate Membership

Our Affiliate Membership scheme is open to non-governmental organisations and corporations wishing to show their support and engage in the process of developing innovative Co-operative Councils.

Associate Membership

Our Associate Membership scheme is open to the following organisations:

- Town and Parish Councils in England, Northern Ireland, Scotland and Wales
- Groups of elected representatives engaged in local councils (Unitary, County, District and Borough) in England, Northern Ireland, Scotland and Wales:
 - Minority administrations of local councils where opposition parties block membership and the administration therefore join as a political group
 - Opposition groups that will seek to become a Full Member if they take control of their local authority
- Other elected authorities:
 - The devolved administrations of the United Kingdom of Great Britain and Northern Ireland
 - Local and regional government within Europe and beyond

Contact: Nicola Huckerby | E: comms@councils.coop | M: 07813 687 292

**CABINET
27 JUNE 2019**

PART 1 – PUBLIC DOCUMENT

TITLE OF REPORT: CABINET PANEL ON THE ENVIRONMENT

REPORT OF THE SERVICE DIRECTOR: LEGAL AND COMMUNITY & MONITORING OFFICER

EXECUTIVE MEMBERS: LEADER OF COUNCIL, ENVIRONMENT AND LEISURE, RECYCLING AND WASTE

COUNCIL PRIORITY: RESPONSIVE AND EFFICIENT

1. EXECUTIVE SUMMARY

- 1.1 This report sets out the establishment, terms of reference and membership of a Cabinet Panel on the Environment (the 'Panel').

2. RECOMMENDATIONS

- 2.1 That Cabinet approves the establishment of the Panel, with Membership, Terms of Reference, Procedure and administration as per Appendix A (or as amended by Cabinet).

3. REASONS FOR RECOMMENDATIONS

- 3.1 To comply with the direction of Cabinet on 11 June 2019.

4. ALTERNATIVE OPTIONS CONSIDERED

- 4.1 None.

5. CONSULTATION WITH RELEVANT MEMBERS AND EXTERNAL ORGANISATIONS

- 5.1 Following the Climate Change Motion at Annual Council on 21 May, and the Cabinet meeting on 11 June, the administration has asked that this item is considered by Cabinet. This is with the view to considering environmental and climate ideas and further assist with the implementation of the Council's Motion of 21 May.
- 5.2 As per the instructions, Membership, Terms of Reference, Procedure and Administration are set out as per Appendix A.

6. FORWARD PLAN

- 6.1 This report does not contain a recommendation on a key decision and has not been referred to in the Forward Plan, although recommendations for action *from the Panel* for consideration by Cabinet may do so. This will therefore need to be borne in mind for any recommendations of the Panel.

7. BACKGROUND

- 7.1 A Petition on Climate Change and a Climate Change motion¹ were both presented at the Annual Council meeting on 21 May 2019. Full Council resolved:

Council notes that:

- (a) *the recent 2018 Intergovernmental Panel on Climate Change (IPCC) report states that we have just 12 years to act on climate change if global temperature rises are to be kept within the recommended 1.5 degrees Celsius;*
- (b) *all governments (national, regional and local) have a duty to limit the negative impacts on climate breakdown, and the governments that recognise this should not wait for their national governments to change their policies. UK county, district and city councils need to commit to aggressive reduction targets and carbon neutrality as quickly as possible;*
- (c) *districts are well placed to lead the world in reducing carbon emissions, as their responsibility for planning policies opens up a range of sustainable transport, buildings and energy opportunities;*

In light of the above, the Council therefore agrees to:

- (1) *Join other councils in declaring a Climate Emergency;*
- (2) *Ask the Leader to write to the Secretary of State requesting that they provide the necessary powers and resources to make local action on climate change easier;*
- (3) *Request that, in light of the IPCC report, officers review the council's Climate Change Policy with the aim of bringing a report to Council in autumn of 2019, after consideration by Overview and Scrutiny. The review should include an action plan to achieve a target of zero carbon emissions by 2030 and proposals for regular reporting to Overview and Scrutiny Committee of the progress with the plan;*
- (4) *Ask officers to ensure that, as the Council's policies are routinely reviewed, specific consideration is given to how policies and our related decisions and actions, affect our contribution to climate change, and where necessary, update these policies to reduce our impact wherever possible;*
- (5) *Ask officers to investigate the most appropriate training for Members and officers about how to promote carbon neutral policies for consideration by Council;*
- (6) *Continue to work with partners across the district, county and wide region to deliver widespread carbon reductions."*

- 7.2 Whilst this was subsequently then listed on the Cabinet Agenda for 11 June, there was insufficient time to prepare the report and Appendix prior to that meeting, but to the extent necessary the instruction to bring forward a report for a special Cabinet meeting was then confirmed on that date.

8. RELEVANT CONSIDERATIONS

- 8.1 The Panel's Membership, Terms of Reference, Procedure and Administration are attached at Appendix A.
- 8.2 Appointees (other than the Executive Chairmen) shall be confirmed at the Cabinet meeting on 27 June or in the event that this is not available, to the Democratic Services Manager subsequently to enable the meetings to be arranged.

9. LEGAL IMPLICATIONS

- 9.1. Section 1 of the Localism Act 2011 provides a General Power of Competence which gives local authorities the power to do anything that individuals generally may do for the benefit of the authority, its area or persons resident in its area, with the exception of powers which are afforded by implementation of or compliance with alternative legislation. Cabinet's Terms of Reference at 5.6.14 is *"To carry out the Authority's responsibilities for the General Power of Competence pursuant to section 1 of the Localism Act 2011 for the benefit of the Authority, its area or persons resident in its area and increasing the availability and equality of access to employment."*
- 9.2. The establishment of the Panel would therefore fall under the Localism Act provision as described and the Cabinet's terms of reference.

10. FINANCIAL IMPLICATIONS

- 10.1 Other than potential staffing costs, there are no other direct revenue or capital implications arising from this report. If the Panel were to make recommendations to Cabinet that had financial implications then there would need to be a consideration as to whether they could be delivered within the existing budgetary control framework.

11. RISK IMPLICATIONS

- 11.1 There are no direct risk implications arising from this report. As highlighted in paragraph 14.1 the additional work involved could create pressures in delivering existing work and/ or could create the need to increase staff hours. The establishment of this Panel may enable actions to be taken that help reduce the impact of climate change. This in turn may alleviate the impact on the Council and residents of the District.

12. EQUALITIES IMPLICATIONS

- 12.1 In line with the Public Sector Equality Duty, public bodies must, in the exercise of their functions, give due regard to the need to eliminate discrimination, harassment, victimisation, to advance equality of opportunity and foster good relations between those who share a protected characteristic and those who do not.

12.2 The proposed Panel seeks to advance the Council's response to the impact of Climate change at a District level. The international and national reports note the negative impacts on the community of which greater impact will be felt by those who share a protected characteristic.

13. SOCIAL VALUE IMPLICATIONS

13.1 The Social Value Act and "go local" policy do not apply to this report.

14. HUMAN RESOURCE IMPLICATIONS

14.1 There will be staffing and resource implications for arranging and supporting the Panel, and report writing and its meetings – as these will be in addition to the existing calendar of meetings. These may be quantified when it is clear which Officers will attend these meetings. In terms of Council meetings, each attracts a meeting attendance allowance for officers of £25; and officers up to and including grade 7 will be paid overtime at time and a half for some staffing areas under local agreement (although overtime is not paid in addition to flexi/ toil).

14.2 Staffing implications may go beyond the cost of staff attending evening meetings. If new projects emerge they may require additional resource that cannot be quantified at present, on top of this will be relevant training and development of staff working on these projects.

15. APPENDICES

15.1 Appendix A – Proposed Panel's Membership, Terms, procedure and administration.

16. CONTACT OFFICERS

16.1. Jeanette Thompson; Service Director: Legal & Community; Monitoring Officer
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16.2 Reuben Ayavoo; Policy and Community Engagement Manager
reuben.ayavoo@north-herts.gov.uk; ext 4212

16.3 Ian Couper; Service Director: Resources and s151 Officer
ian.couper@north-herts.gov.uk; ext 4243

16.4.1 Kerry Shorrocks; Corporate Human Resources Manager: Kerry.shorrocks@north-herts.gov.uk; ext 4224

17. BACKGROUND PAPERS

17.1. Council Motion and Full Council minutes 21 May 2019: [Council 21 May 2019](#)

17.2. Cabinet 11 June 2019: [Cabinet 11 June 2019 page](#)

CABINET PANEL ON THE ENVIRONMENT**MEMBERSHIP**

1. The Panel shall comprise of nine (9) Members.
2. The Panel shall be politically balanced.¹
3. The quorum shall be three (3).
4. The initial appointments to be made by Cabinet, thereafter confirmed by Full Council at its Annual Meeting or at other times, under delegated responsibility, by the Democratic Services Manager in consultation with Group Leaders.

TERMS OF REFERENCE

The Panel's Terms of Reference are to consider a range of climate and environmental issues and in particular to:

1. Engage with individuals and the community, act as a sounding board on community ideas and projects and seek evidence and views as appropriate;
2. Consider a range of views on issues relating to climate change (both mitigation of and adaption to) and environmental matters;
3. Help and where appropriate maintain any links with relevant external (public, research and industrial) bodies;
4. Consider any relevant government or agency consultations and advise Cabinet or the relevant Executive Member and Service Director of a proposed response;
5. Contribute towards the review of the Climate Change Strategy;
6. Act as an advisory Panel to Cabinet in relation to the above.

PROCEDURE & ADMINISTRATION

1. The Panel is advisory and has no decision making powers. It is therefore the intention that the Panel meetings, style and tone are informal and that the community and any person or body are welcomed and enabled to participate.
2. The Panel shall be Chaired by the Executive Member for Environment and Leisure, and Recycling and Waste alternatively, or in the event of the absence of the other, by the attending Executive Member.
3. The Panel shall aim to meet approximately 6 times per year, once before each Cabinet cycle.
4. Any recommendation of the Panel shall, in so far as possible, be by consensus. Where voting is necessary, then the normal Council voting procedures will apply.
5. Administrative support will be organised by the Committee, Member and Scrutiny Team.
6. Officer support shall be provided by the Policy officer(s) from Policy and Community Engagement and where relevant other Directorate officers, as requested by the Panel.

¹ 2019/20 4 Conservative; 3 Labour & Co-operative; and 2 Liberal Democrats.

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**CABINET
27 JUNE 2019**

PART 1 – PUBLIC DOCUMENT

TITLE OF REPORT: MODERN DAY SLAVERY TRANSPARENCY STATEMENT & CHARTER AGAINST MODERN SLAVERY

REPORT OF THE SERVICE DIRECTOR: LEGAL AND COMMUNITY & MONITORING OFFICER

EXECUTIVE MEMBER: COMMUNITY ENGAGEMENT

COUNCIL PRIORITY: RESPONSIVE AND EFFICIENT

1. EXECUTIVE SUMMARY

- 1.1 This reports requests that the Cabinet consider the Modern Slavery Transparency in Supply Chain Statement ('Transparency Statement'), consider actions to date and a referral to Council to adopt the Charter Against Modern Slavery (the 'Charter').

2. RECOMMENDATIONS

That Cabinet:

- 2.1. approves the Transparency Statement 2019-2020 (Appendix A).
2.2. notes the actions to date, as per the Action Plan (Appendix B).
2.3. considers, and then if deems appropriate,

*Recommends to Full Council:
That, the Council agrees to adopt the Charter Appendix C).*

3. REASONS FOR RECOMMENDATIONS

- 3.1 To consider the Transparency Statement and related matters.

4. ALTERNATIVE OPTIONS CONSIDERED

- 4.1. In terms of the Transparency Statement there is no legal requirement (see Legal Implications) to publish one and Cabinet could chose not to do so; however, the Local Government Associate advocates this as good practice.
4.2. In terms of the Charter, the Cabinet have the option of referring this to Full Council or not doing so.

5. CONSULTATION WITH RELEVANT MEMBERS AND EXTERNAL ORGANISATIONS

- 5.1. The Executive Member for Community Engagement and the Leader has requested that the issue of the Charter be considered by Cabinet and potentially by Full Council. No formal consultation has taken place with External organisations.

6. FORWARD PLAN

- 6.1 The Transparency Statement was first identified on the Forward Plan on 29 May. Full Council would consider any adoption of the Charter and that issue is therefore not being taken as an Executive decision that would be identified on the Forward Plan.

7. BACKGROUND

- 7.1. On 10 April 2018, a Motion was submitted to Full Council to adopt the Charter [[Click here to view Council page 10.4.18](#)].

- 7.2. An agreed amended Motion was subsequently carried:

“That, in view of evidence that modern slavery is hidden even in affluent areas like North Hertfordshire, this Council notes the legal duties imposed upon it in the Modern Slavery Act 2015, notes the training delivered by Hertfordshire Constabulary to the Council’s safeguarding group and agrees that the Council must seek to raise awareness of the signs of modern slavery and human trafficking in all its work and within the District. To achieve this the Council agrees to support the principles of the Modern Slavery Charter.”

- 7.3. Subsequently a Modern Day Slavery & Human Trafficking Action Plan was considered by the Senior Management Team in August and October 2018, the Executive Member kept informed and actions taken accordingly. This was reported through to Overview and Scrutiny Committee in December 2018¹. The updated Action Plan is appended at B with the actions and status.

8. RELEVANT CONSIDERATIONS

Transparency Statement

- 8.1 In terms of the Transparency Statement, the Modern Slavery Act places a requirement for certain commercial businesses to produce a Transparency Statement. Whilst these do not apply to Councils, it has been prepared on a voluntary basis as recommended by the Local Government Association².

¹ [[view report here](#)]

² <https://www.local.gov.uk/topics/community-safety/modern-slavery/transparency-statements>

8.2 The Transparency Statement at Appendix A is based on a similar LGA model. It had been anticipated that this would be first considered by the Council's Contract Procurement Group and then the Corporate Safeguarding Group prior to discussions with the Executive Member and approval by Cabinet at the end of July. Whilst the former consideration has taken place, the Corporate Safeguarding Group is due to meet on Friday 14 June (the day after reports are uploaded for the Special Cabinet meeting). Any further comments on the Transparency Statement may be uploaded and presented in any event at the Special Cabinet meeting - as it was felt prudent to bring both this and Charter considerations to a Cabinet meeting together.

8.3 If approved, the Transparency Statement will be placed on the Council's website, and actions/ outcomes reported where possible in the Annual Safeguarding report to the Overview and Scrutiny Committee.

Action plan

8.4 The Council's Action Plan appended at B and is a framework for demonstrating compliance with the statutory duties under the Act. Members will note that it does not include any steps regarding the Transparency Statement, or the Charter.

Charter Against Modern Slavery

8.5 Many Councils have signed up to the Charter and the commitment would be, as per Appendix C, to sign up to:

1. *Train its corporate procurement team to understand modern slavery through the Chartered Institute of Procurement and Supply's (CIPS) online course on Ethical Procurement and Supply.*
2. *Require its contractors to comply fully with the Modern Slavery Act 2015, wherever it applies, with contract termination as a potential sanction for non-compliance.*
3. *Challenge any abnormally low-cost tenders to ensure they do not rely upon the potential contractor practising modern slavery.*
4. *Highlight to its suppliers that contracted workers are free to join a trade union and are not to be treated unfairly for belonging to one.*
5. *Publicise its whistle-blowing system for staff to blow the whistle on any suspected examples of modern slavery.*
6. *Require its tendered contractors to adopt a whistle-blowing policy which enables their staff to blow the whistle on any suspected examples of modern slavery.*
7. *Review its contractual spending regularly to identify any potential issues with modern slavery.*
8. *Highlight for its suppliers any risks identified concerning modern slavery and refer them to the relevant agencies to be addressed.*
9. *Refer for investigation via the National Crime Agency's national referral mechanism any of its contractors identified as a cause for concern regarding modern slavery.*
10. *Report publicly on the implementation of this policy annually."*

8.6 As most of the requirements are procurement based, it was anticipated that the Contract Procurement Group would review and confirm any relevant issues for Cabinet's consideration. The Contract Procurement Group is next due to meet on 13 June (the day of reports being uploaded), and any additional comments shall be uploaded or reported after that. In the meantime the following is relevant:

1, 3, 7 -10 are largely feasible. More particularly:

2. It would be possible to include a standard clause within our contracts; however, we do not always contract on the Local Authority's standard terms – it may be contractor's pro-forma. Sometimes the contractor's accept amendments and others not.

In the event of refusal then this would delay procurement, or possibly mean that there was no suitable alternative (although it is difficult to quantify the extent that this will be an issue).

3. That we do challenge abnormally low tenders and would raise enquiries if staffing costs appear low. This helps to ensure the sustainability of the contractor, as well indicating modern slavery risks.

4. Contract managers may raise this at a contract meeting; however with small suppliers (particularly suppliers of commodity items like stationery) there may not be a contract meeting so it is unclear how the Council could achieve this in practice for all contractors.

5. The Council has a Whistleblowing Policy in the internet and guidance for managers is available on the intranet. All employees, agency staff and Members are encouraged to use this. It is due to be reviewed this civic year 2019/20.

6. The Council may not be able to achieve this in every case, particularly when contracting on suppliers' standard terms and conditions and when using frameworks.

8.7 The Charter is stated as going beyond the legal requirements set out in the Modern Slavery Act. Some of the requirements will need larger service manager engagement, and for this reason it is anticipated that some form of annual SMT review report would be required, prior to reporting this issue through in the Annual Safeguarding Report to Overview & Scrutiny.

8.8 If Cabinet decides to refer the Charter for adoption to Full Council, then it should be aware that there would appear to be no formal requirement post Council resolution, other than signing off the document, which is understood to be largely ceremonial.

General:

8.9 For information purposes, Members should be aware that the Council also works with other bodies in this key area, including the Police and the Hertfordshire Modern Slavery Partnership. The Council's External Enforcement Agents have also undertaken the Council's Safeguarding and Modern Day Slavery Courses.

9. LEGAL IMPLICATIONS

- 9.1. The Modern Slavery Act 2015 places certain legal duties upon public and private organisations. With specific reference to this report, section 54 includes a requirement: *“A commercial organisation within subsection (2) must prepare a slavery and human trafficking statement for each financial year of the organisation.*
(2) A commercial organisation is within this subsection if it—
(a) supplies goods or services, and
(b) has a total turnover of not less than an amount prescribed by regulations made by the Secretary of State.
(3) For the purposes of subsection (2)(b), an organisation's total turnover is to be determined in accordance with regulations made by the Secretary of State.”
- 9.2 The Act prescribes that ‘commercial organisations’ that supply goods and services with a turnover of at least £36m must adopt a Transparency Statement. This does not apply to local authorities as per the definitions in the legislation, as:
- 9.2.1 They are not ‘commercial organisations’, particularly in relation to the supply of goods and services;
- 9.2.2 They do not have a turnover, and the £36m is linked to definitions within the Companies Act, which does not apply to Local Authorities;
- 9.2.3 Whilst the Council has gross expenditure for 2018/19 of £66m (which must be matched by income and therefore could be defined as turnover), this is skewed by Housing Benefit payments which the Council administers on behalf of Central Government. Excluding Housing Benefit, would take any measure of “turnover” below the £36m limit.

However adoption of a Transparency Statement is recommended *as good practice* by the Local Government Association.

- 9.3 The Cabinet’s terms of reference include: 5.6.28 *“To make decisions where a policy or strategy does not exist”*. In terms of the Charter, the recommendation to Council would in effect be for the Council, under its terms of reference 4.4.1(t),[to] *“arranging for the discharge of any other functions of the Authority which are not executive functions.”*
- 9.4 Note that signing the Charter would largely be a ceremonial matter; however, if a formally signed document is required by the Co-operative Party, this would have to comply with the Council’s Constitutional arrangements (namely signed by an authorised officer).

10. FINANCIAL IMPLICATIONS

- 10.1 There are not expected to be any direct revenue or capital implications arising from this report, other than the training costs for the certificate (valid for 12 months) in Ethical Procurement and Supply – which at the 2018 level was £38 plus VAT per person.

11. RISK IMPLICATIONS

- 11.1 The actions in this report should help to reduce the Council’s risks in relation to Modern Slavery. As highlighted in paragraph 8.5 there is a risk that if the terms of the Charter were applied too rigidly, it could limit the Council’s ability to enter in to some necessary contracts, even though there was no actual indication of Modern Slavery concerns.

12. EQUALITIES IMPLICATIONS

- 12.1 In line with the Public Sector Equality Duty, public bodies must, in the exercise of their functions, give due regard to the need to eliminate discrimination, harassment, victimisation, to advance equality of opportunity and foster good relations between those who share a protected characteristic and those who do not.
- 12.2 The introduction of the Transparency Statement, supported by relevant and development opportunities outlined, is a positive step to raise awareness amongst any employee or worker delivering services on behalf of the Council. The introduction of the statement supports the Council's commitment to eradicate slavery in any form.

13. SOCIAL VALUE IMPLICATIONS

- 13.1 The Social Value Act and "go local" policy do not apply to this report.

14. HUMAN RESOURCE IMPLICATIONS

- 14.1. Safeguarding and operational support (identifying and referring victims, disrupting activities and supporting police and partner operations specifically tackling modern slavery) for modern slavery matters is ordinarily covered by the Community Protection team (within the Legal and Community Directorate since June 2018) and the Corporate Safeguarding Group. Procurement work and related actions are covered by the Legal Services team, also within that Directorate. It is not envisaged that the actions arising from the report would necessarily increase workload. Modern Slavery is reported to Overview and Scrutiny annually, as part of the Annual Safeguarding Report. If the Charter is adopted, then this practice would continue, albeit that procurement and service managers would have to report any issues through to be incorporated into this report.
- 14.2. As Cabinet will note from the Action Plan, training has been provided in various forms. Further training and costs associated with the Charter will apply.

15. APPENDICES

- 15.1 Appendix A – Transparency Statement on Modern Slavery
- 15.2 Appendix B – Modern Slavery & Human Trafficking Action Plan 2018-2021 (rev.6.19)
- 15.3 Appendix C - Co-operative party Charter Against Modern Slavery extract page 2 Charter from Modern Slavery briefing

16. CONTACT OFFICERS

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17. BACKGROUND PAPERS

17.1. Council Motion and Full Council minutes of 10 April 2018 <https://democracy.north-herts.gov.uk/ieListDocuments.aspx?CId=136&MId=155&Ver=4>

17.2. Annual Review of Safeguarding Children and Adults at Risk Overview and Scrutiny meeting 11 December 2018 <http://democracy.north-herts.gov.uk/ieListDocuments.aspx?CId=134&MId=2035&Ver=4>

General – Modern Slavery:

17.3. Modern Slavery Act, 2015 Legislation:
<http://www.legislation.gov.uk/ukpga/2015/30/contents/enacted>

17.4. Government website <https://www.gov.uk/government/collections/modern-slavery>

17.5. Local Government Association website (link to LGA Modern Slavery publication)
<https://www.local.gov.uk/topics/community-safety/modern-slavery>

17.6. Hertfordshire Constabulary website <https://www.herts.police.uk/Information-and-services/Advice/Modern-slavery/Modern-slavery>

17.7. Police and Crime Commissioner for Hertfordshire website
<http://www.hertscommissioner.org/modern-slavery>

17.8. Shiva Foundation website
<http://www.shivafoundation.org.uk/>

17.9. The Co-Operative Party website <https://party.coop/local/councillors/modern-slavery-charter/>

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Modern Slavery Transparency Statement 2019-2020

1. Introduction

The Council has a key role to play in tackling modern slavery, including identifying and supporting victims and working in partnership locally. The Council's role can be separated into four distinct areas:

1. identification and referral of victims;
2. supporting victims by safeguarding children and adults with care and support needs and providing housing/homelessness services;
3. community safety and disruption activities; and
4. ensuring the supply chains that the Council procures from are free from modern slavery.

Modern slavery intersects with many different areas that the Council is involved with and a number of different officers might come across it while going about their everyday activities. Key examples where officers might come across victims include housing and homelessness services, community protection work, licensing and customer services.

The procurement of services is an important part of the Council's expenditure. Understanding our supply chains and assessing the risk to those working in it requires commitment, support and collaboration. The Council is uniquely placed to be at the forefront of the fight against modern slavery hence the Council has voluntarily compiled this modern slavery Transparency Statement.

This statement sets out North Hertfordshire District Council's actions to understand the potential modern slavery risks related to its activities and to put steps in place to attempt to eliminate acts of modern slavery and human trafficking within its supply chain.

2. NHDC's organisational structure & supply chains

North Hertfordshire District Council is a local authority in the north-eastern part of Hertfordshire, in the East of England region. The activities the Council undertakes are wide ranging in order to fulfil its duties to its residents. Its highest spend contracts are for the Household Waste Services and Grounds Maintenance.

The supply chains for the Council's activities are considered as only operating within the United Kingdom and the risk of slavery and human trafficking is therefore considered low. While the risk of slavery and human trafficking is considered low, the Council remains vigilant and will take all steps available to manage the risks presented.



Going forward, over the next 12 months, the Council will undertake a supply chain mapping exercise that increases its knowledge and awareness of its supply base. It is important that the limited resource available for doing this is focussed on the areas that pose the greatest risk and the mapping exercise will therefore consist of the following steps:

- 1) List suppliers by total spend
- 2) Categorise into spend areas by goods and/or services
- 3) Determine the modern slavery risk rating of Low; Medium or High from: ^{Appendix A}
 - a. Location of production or service: does the country/area have a high prevalence of modern slavery or other labour rights violations?
 - b. Industry sector: does that industry or sector have a high prevalence of modern slavery or other labour rights violations?
 - c. Value and length of contract: the higher the value or longer the contract will give a higher risk.

3. Responsibility: who has responsibility for anti-slavery initiatives?

The Council believes that safeguarding is the responsibility of all employees, Members, volunteers and organisations delivering services on our behalf. Everybody has a duty to safeguard children and adults in our local communities.

Our Named Safeguarding Officer is our Service Director: Legal and Community. Designated Safeguarding Officers throughout the organisation support colleagues to respond and refer any concerns and a Corporate Safeguarding Group monitors current practice in relation to safeguarding and identifies key areas for development.

Responsibility for safeguarding sits with the Executive Member for Community Engagement. An annual report is also made to the Overview and Scrutiny Committee.

Each Service area is responsible for reviewing spend on their supplier contracts as part of their ongoing commissioning and budget setting process. As part of this process, whenever spend is reviewed, it is considered best practice to include consideration of modern slavery. Going forward the Council's Contract Procurement Group will produce a check list of the modern slavery identifiers within the supply chain and disseminate this within their service areas for increasing awareness of identifying and preventing modern slavery from within its supply chain.

4. Link to relevant policies

The Council's commitment to safeguarding children and adults at risk is outlined in our policies for safeguarding children and adults at risk that can be found on our website:

<https://www.north-herts.gov.uk/home/community/health-and-social-care/protecting-children-young-people-and-adults-risk>



5. What due diligence of suppliers is carried out ?

For the appointment of new suppliers, the Council has the Government Standard Supplier Selection Questionnaire, which is used in all appropriate procurements and requests confirmation that suppliers meet Modern Slavery Act 2015 requirements.

Any bidder who fails to evidence their compliance with the required legislation shall be excluded from participating further in the tender process. Incorporated within the Council's standard contract terms are clauses that specify the supplier's contractual obligation concerning Modern Slavery.

Currently there are no processes in place at the Council for reviewing existing supplier's compliance with the Modern Slavery Act 2015 requirements. The supply chain mapping exercise referred to in point 2 of this statement will however provide a useful knowledge base from which to identify the contracts at greatest risk from modern slavery and whose contract managers will be requested to carry out checks for the supplier's compliance to the Modern Slavery Act requirements. Any supplier's found not meeting the required standard will be asked to take action to improve; where this is not forthcoming the contract relationship will be terminated at the next opportunity, taking into account the contract terms and conditions. This exercise is planned to take place over the next 12 months.

6. Key performance indicators

The following KPIs will be monitored during 2019:

- The number of new contract awards and whether the Modern Slavery Act 2015 applied to the awarded organisation.
- Numbers of staff that have completed modern slavery training, identified as mandatory for all staff.

7. How we train NHDC staff on anti-slavery measures

In 2018/19, training on modern day slavery was identified as mandatory for all staff and briefings and e-learning was rolled out throughout the organisation. Going forward, all staff are required to undertake safeguarding training at a level relevant to their role. Basic, level one or level two training is refreshed every two or three years. This training now includes modern slavery and human trafficking. Compliance with these training requirements is monitored by the Senior Management Team and audited by the Hertfordshire Safeguarding Children Partnership and Hertfordshire Safeguarding Adults Board.

The Procurement Officer and Legal Commercial Team Manager have both attended the Hertfordshire Modern Slavery Procurement Workshop in September 2018.

Over the next 12 months the Procurement Officer will undertake the CIPS Ethical Procurement and Supply e-learning to achieve the recommended CIPS accreditation in this area.

NORTH HERTFORDSHIRE
DISTRICT COUNCIL



North Herts District Council Modern Slavery & Human Trafficking Action Plan (2018-2021) App B

ACTION & EXPECTED OUTCOME	TIME FRAME/ STATUS	LEAD
MONITORING AND REPORTING		
<i>To have an effective corporate monitoring and reporting process</i>		
Corporate Safeguarding Group (CSG) to oversee and monitor compliance with modern day slavery and human trafficking duties (MDS) requirements and report / make recommendations to Community Protection Manager/ Service Director: Legal & Community on proposed changes. To include within Annual Safeguarding report to Overview & Scrutiny Committee.	This work will always be ongoing.	Corporate Safeguarding Group/ Community Protection Manager/ Community Health and Wellbeing Team Leader /Service Director: Legal & Community
POLICY AND PROCESS		
<i>To ensure that legal duties are met and where relevant reflected/ embedded in other corporate policies/ procedures and guidance. Support of victims.</i>		
Incorporate modern slavery requirements in Safeguarding Policy.	Safeguarding Policy includes modern slavery as a category of abuse. Modern Slavery referral process is published on intranet.	Community Protection Manager/ Community Health and Wellbeing Team Leader / Policy & Community Engagement Manager
<ul style="list-style-type: none"> • Development of MDS guidance notes. • Development of MDS procedure notes for reporting and referral process. • Centralised log of all NRM or MS1 referrals established. • Monitoring of NRM / MS1 forms. • Inclusion in annual Safeguarding report/ and any audits. • Amend Safeguarding intranet page to include MDS. 	Modern Slavery page on intranet contains all requirements.	Community Health and Wellbeing Team Leader / Safeguarding Support Officer
Update procurement and contract procedure rules to ensure, where possible, MDS applicable and compliant (to obtain assurance for MDA compliance for relevant contracts).	Suppliers are required to declare their compliance with modern slavery requirements during tender process.	Contract Procurement Group/ Legal Commercial Team Manager/ Procurement Officer
The Housing Options and Housing Advice Teams provide potential victims of MDS with advice on their housing options (including homelessness services) and signpost to other specialist support agencies as appropriate. The Housing Options and Housing Advice Teams support the police and partners in Operation Tropic activities through the provision of an on-site housing options	This work will always be ongoing for the team.	Strategic Housing Manager

Charter Against Modern Slavery

[Your Council Name] will:

1. Train its corporate procurement team to understand modern slavery through the Chartered Institute of Procurement and Supply's (CIPS) online course on Ethical Procurement and Supply.
2. Require its contractors to comply fully with the Modern Slavery Act 2015, wherever it applies, with contract termination as a potential sanction for non-compliance.
3. Challenge any abnormally low-cost tenders to ensure they do not rely upon the potential contractor practising modern slavery.
4. Highlight to its suppliers that contracted workers are free to join a trade union and are not to be treated unfairly for belonging to one.
5. Publicise its whistle-blowing system for staff to blow the whistle on any suspected examples of modern slavery.
6. Require its tendered contractors to adopt a whistle-blowing policy which enables their staff to blow the whistle on any suspected examples of modern slavery.
7. Review its contractual spending regularly to identify any potential issues with modern slavery.
8. Highlight for its suppliers any risks identified concerning modern slavery and refer them to the relevant agencies to be addressed.
9. Refer for investigation via the National Crime Agency's national referral mechanism any of its contractors identified as a cause for concern regarding modern slavery.
10. Report publicly on the implementation of this policy annually.

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