

The role of councils in tackling modern slavery

Introduction

- The LGA's work on this issue started when the first anti-slavery Commissioner came to talk to the LGA Safer and Stronger Communities Board.
- The Commissioner's presentation focused on the scale and extent of modern slavery in this country, outlining some of what we have just heard:
 - that modern slavery is happening right here, right now and that it's happening in every part of the country. In businesses, on our high streets, and in houses in our neighbourhoods.
 - And that many different types of people can become victims of slavery, including those from within the UK as well as people from abroad.
- Following those early discussions with the Commissioner, the LGA has undertaken work; with councils, to raise awareness and develop guidance on how they can tackle modern slavery, and with the Home Office, to discuss future policy and some of the challenges on the ground.
- In this short session, I want to give a quick overview of the role that councils can play, ahead of more detailed presentations later in the webinar.

Overview of the role

- In the LGA's council guidance on modern slavery, we outlined four broad ways in which councils can take action against modern slavery. These are:

1. identification and referral of victims
2. supporting victims

3. community safety and disruption activities
4. and finally, in ensuring that the supply chains councils procure from are free from modern slavery.

- **So, firstly, identification and referral of potential victims.**

- Under Section 52 of the Modern Slavery Act, councils are what's known as 'first responders' and under a duty to notify, meaning that they can identify potential victims of modern slavery, and refer them to the National Referral Mechanism, the framework for identifying, referring and supporting victims of modern slavery.
- For adults who don't consent to enter the NRM – and sadly many do not – anonymous information should still be notified to the government, which aims to help build up our intelligence about the picture of modern slavery in this country.
- When a person is referred into the NRM, the first step is a reasonable grounds decision - which means that from the information available "I suspect but cannot prove" that the person maybe a victim of modern slavery. The single competent authority (or SCA) - which is part of the Home Office and manages decision making within the NRM - aims to make this decision within 5 days, although this can take a longer.
- Following a positive reasonable grounds decision, the SCA will begin work to reach a 'conclusive grounds decision' on a victim's case. Although guidance sets out that this process should take at least (45) days, in practice it can take much, much longer to reach a final decision.
- For suspected child victims of modern slavery – who make up by far the majority of council NRM referrals – the NRM is not linked to the support that is provided to them: this will be

dealt with under normal local children's services processes, irrespective of the outcome of the NRM referral.

- In fact, because these local services will already be working very closely with child victims of modern slavery, the Government has recently launched a pilot programme to test out devolved decision making. In the pilots, rather than the Single Competent Authority being responsible for reaching reasonable and conclusive grounds decisions, local partners already working with the child will consider these cases.
- For suspected adult victims of modern slavery, the picture is different, and entry into the NRM has until now been closely linked with the dedicated support provided to them.
- Following a positive reasonable grounds decision being made, an individual will receive a 'recovery period' comprising at least 45 days of tailored support while the case is considered. Support is through the Home Office's 'Victim Care Contract' with The Salvation Army and its network of sub-contractors.
- Following legal challenges, in recent years the VCC has switched to operate on a personalized recovery needs-based approach rather than the old, fixed time limits for victim support. Once a conclusive grounds decision has been made, victims are entitled to at least another 45 days of tailored 'move on' support intended to help them transition out of the VCC and into mainstream support, if required; again, in practice support may extend for longer.
- Where individuals receive a negative reasonable grounds decision, they would not enter the VCC. Individuals who receive a positive reasonable grounds but negative conclusive grounds decision are required to leave VCC support within 9 days. Negative decisions are subject to review by multi-agency assurance panels.

- So what are the implications for councils of being first responders able to refer into the NRM? I think there are a few key points.
- First of all, councils are FRs partly because they may come into contact with victims of modern slavery, so it is important that staff are equipped to manage this. There are a wide range of officers who could potentially observe modern slavery, so people need to be given training that helps them to spot the signs and identify it.
- It's also important that staff understand what the NRM is, how to make a referral into it, and what a good referral looks like – so again, this is about ensuring that relevant staff are trained in this. The HO is increasingly building up its training offer on modern slavery, and many councils are developing their own training modules too.
- The final key point I think that councils should be thinking about is how they will manage the first responder role. Councils, rather than individuals within them, are first responders, and people in different teams could make referrals. But it doesn't seem to be practical or desirable for all officers to potentially make an NRM referral, while it probably is desirable to maintain an overview of how many NRM referrals are being made by the council. So councils need to think carefully about how they will manage information from services about possible victims of slavery, who will make NRM referrals on the council's behalf, and how these related activities will be linked up across the council – perhaps through a single point of contact role for modern slavery.
- **The second part of councils' role which I want to talk about is supporting victims.**
- Depending on the age and needs of victims of modern slavery, councils may have statutory responsibilities to provide support from different services.

- For children, the picture is relatively straightforward, in that suspected victims of modern slavery should automatically fall under normal child safeguarding procedures and be managed through that route.
- In practice, this work is hugely complex, as councils grapple with finding the right safeguarding and children's services responses to newer challenges such as county lines. However, in terms of entitlement to support, the picture is at clearer cut for young people within the remit of children's services.
- In adults, the picture is more complex, and I think it's fair to say, is evolving over time.
- When the LGA first developed guidance on modern slavery 3.5 years ago, the default expectation was that adult victims would receive accommodation and support through the NRM and victim care contract. Over time, however, there has been increasing push back on this, particularly in relation to accommodation, where there is an expectation that anyone with entitlement to council housing or other support should access this option, perhaps with outreach support from the Victim Care Contract rather than a safe house place.
- Last week, MHCLG updated the homelessness code of guidance to provide clearer guidance for housing staff on treating victims of modern slavery as having a priority need.
- On housing, even where individuals do consent to enter the NRM and are accepted by The Salvation Army, we know that there is often a delay in a safehouse place being made available and that the provision of suitable temporary accommodation for victims before they enter the NRM is a particular pinch point for councils. Some areas have worked with their local PCCs to develop specialist accommodation available for this period.

- Adult safeguarding and the Care Act is another service area that has been identified as having a role in supporting victims, but we see differing approaches across councils. While some authorities are treating all suspected cases of modern slavery as adult safeguarding and providing associated support, the challenge of resources means that some authorities cannot go beyond the thresholds for social care support set out in the Care Act, which set a high threshold many victims of modern slavery will not meet, despite the dreadful trauma they have experienced.
- Other council services which may have a role to play in supporting victims include substance misuse and sexual health services and jointly commissioned mental health services.
- The issue of support for victims of modern slavery is a challenging one, despite its vital importance. Outside of the VCC, support is provided to victims of modern slavery in line with the eligibility rules for different frameworks and even where councils may want to go beyond these, the blockers of already stretched services and lack of resources are a challenge.
- The Home Office's recent immigration plan included a commitment to codify support for victims within UK law - based on what the UK has signed up to through various international conventions. As part of that, the LGA believes there needs to be a genuine discussion about support requirements, where responsibility should rest, and how needs can be met and funded.
- While that debate is ongoing, for councils, the key issue is to ensure that all relevant services are able to recognize the vulnerabilities of victims of modern slavery and think about how they can best be supported.

- **The third area of activity is councils' key role in undertaking community safety and disruption activities.**
- Modern slavery is a complex, serious and often organised crime. Under Section 17 of the Crime and Disorder Act councils have a duty to do all that they reasonably can to prevent crime and disorder in their areas, which will include modern slavery and trafficking. We know that community safety teams in many areas are working closely with local partners and through CSPs to ensure that modern slavery is one of the issues they are working to tackle.
- Alongside community safety teams, there are a range of services and officers who may come across victims and perpetrators of modern slavery in the course of their day to day work within communities.
- Many parts of the council have powers of entry and inspection that can be used to disrupt the activities of traffickers and criminal networks. Utilising these regulatory tools can help councils to provide a comprehensive community safety response. Partners such as the police and Gangmasters and Labour Abuse Authority find that the wide range of powers councils have can be invaluable in disrupting modern slavery, as well as other criminal activity.
- One good example of a service that may spot the signs of modern slavery is private sector housing teams. Poor housing isn't always associated with modern slavery, but modern slavery is almost always associated with poor housing, and teams may pick up on signs of slavery such as overcrowding, locks outside doors or unusual behaviours and movements from houses.

- Similarly, officers working with local businesses may observe suspicious practices or behaviours in the different types of sectors they are already overseeing, with hand car washes and nail bars being known to be high risk.
- **Finally**, a significant area of work for councils is the **transparency in supply chains agenda**, which aims to ensure that the supply chains organisations procure from are free from modern slavery.
- Under section 54 of the Modern Slavery Act, private businesses with a turnover/budget of more than £36m are required to publish a modern slavery statement setting out what they are doing to eradicate modern slavery from supply chains.
- Although this requirement doesn't currently apply to public sector bodies, the Government has committed to extending the requirement at the earliest opportunity. More than half of councils have already published a statement voluntarily. This is something that the LGA has been promoting to our members, and which we'll be hearing more about later in the session.

Conclusion

- So, that is a quick run through of the broad areas where councils have a role to play in tackling modern slavery. I hope that it has illustrated how the effort to tackle slavery needs to span many different council services, and the need for coordination and joint working both within councils as well as with external partners. Councils are also part of a wide number of partnerships and Boards which can all play a role in tackling this issue through sharing information, joint activities and targeted work.

- We all have a part to play in tackling modern slavery and I hope that you'll find today's event useful in helping you to do so.