

Leader Decisions

Date: Thursday, 23 April 2020

Time: 12.00 pm

Venue: Online

Membership

Councillor Izzi Seccombe

Items on the agenda: -

- | | |
|--|---------|
| 1. Trading Standards Service Enforcement Policy 2020 - 2023 | 3 - 22 |
| <p>When making decisions about enforcement action to be taken where individuals or businesses have breached a legal requirement, it is important that those decisions are appropriate, proportional and rational and based on sound evidence. This report seeks the approval of the Leader to the enforcement policy that will inform those decisions.</p> | |
| 2. Commissioning of Domestic Abuse Support | 23 - 26 |
| <p>The contract for the delivery of services concerning domestic abuse is due to expire on 31 March 2021 and therefore approval is required to commence a tender process for new provision to start 1 April 2021.</p> | |
| 3. Nuneaton Education Strategy | 27 - 44 |
| <p>This report introduces a new education strategy for Nuneaton and requests the approval of the Leader.</p> | |
| 4. Modern Slavery Statement | 45 - 50 |
| <p>Section 54 of the Modern Slavery Act 2015 requires certain organisations to develop a slavery and human trafficking statement each year. The Leader is requested to authorise the latest statement for the County Council.</p> | |

Monica Fogarty
Chief Executive

Leader Decision

23 April 2020

Trading Standards Service Enforcement Policy 2020 - 2023

Recommendations

That the Leader of the Council agrees:

1. The enforcement policy for the Trading Standards Service.
2. That the authority to make minor amendments to the policy is delegated to the Assistant Director Environmental Services or their nominee.

1.0 Key Issues

- 1.1 When making decisions about enforcement action to be taken where individuals or businesses have breached a legal requirement, it is important that those decisions are appropriate, proportional and rational and based on sound evidence. The enforcement policy (Appendix 1) provides a rational basis to guide the decision-making process.
- 1.2 The legislative background is set out in the Legislative and Regulatory Reform Act 2006. This Act sets out the principles to which a person must have regard when exercising certain regulatory functions. The principles listed provide that regulatory activities should be carried out in a way that is transparent, accountable, proportionate, consistent, and should be targeted only at cases in which action is needed.
- 1.3 Section 22 of the Act enables a Minister of the Crown to issue and revise a Code of Practice relating to the exercise of regulatory functions. The resultant Regulators Code came into effect on 6 April 2014 and sets out an expectation that local authorities will ensure that their approach to their regulatory activities is transparent. This means the publication of an enforcement policy detailing how they intend to deliver regulation and what those affected can expect.
- 1.4 The Regulator's Code also provides a set of principles for Regulator's to consider:
 - (a) Regulators should carry out their activities in a way that supports those they regulate to comply and grow.
 - (b) Regulators should provide simple and straightforward ways to engage with those they regulate and hear their views.
 - (c) Regulators should base their regulatory activities on risk.
 - (d) Regulators should share information about compliance and risk.

- (e) Regulators should ensure clear information, guidance and advice is available to help those they regulate meet their responsibilities to comply.
- (f) Regulators should ensure that their approach to their regulatory activities is Transparent.

1.5 The council's vision is laid down in the Warwickshire County Council One Organisational Plan 2020. The overall aim is 'to make Warwickshire the best it can be' and the priorities to achieve this include:

- Our communities are independent, resilient and safe
- Vulnerable members of our communities are supported to be independent and safe
- Warwickshire is an attractive place to do business with a strong local economy and infrastructure
- Our communities and businesses are thriving and prosperous

This Enforcement policy states, 'the primary function of the Trading Standards Service is to create a fair and safe trading environment, supporting growth of legitimate businesses and protecting consumers', thereby supporting the corporate priorities listed above.

1.6 We are required to keep our Enforcement Policy under review. This amended policy is a result of the latest review. Changes include: -

- Updated Code for Crown Prosecutors,
- Clarified paragraph on priorities and available resources,
- Clearly defined Principles of enforcement as set out under the Legislative and Regulatory Reform Act 2006
- Increased information for witnesses,
- Addition of Licencing Review process,
- Recognition of shared enforcement functions,
- Clarification of appeal system,
- Clarification of review timeline.

1.7 An Equality Impact Assessment (EIA) carried out in 2017 concluded that there was little or no impact from this policy on any of the designated groups stipulated within the Equality Act 2010. A further review has been conducted in November 2019 using the new Equality Impact Assessment Initial Screening form and that has similarly concluded that there was little or no impact on any of the identified groups and as such a full EIA is unnecessary. (See Appendix 2) The need for an EIA will be reviewed alongside the review of the policy, every 3 years or where major changes in legislation or policy requires it.

1.8 There are occasions when a change of emphasis in relation to the enforcement approach is indicated, either through codes of practice and guidelines from regulatory bodies. For example, there may be increased use of financial penalties as a way of discharging an enforcement function. In such circumstances, such minor amendments which do not directly impact on the overall approach set out in the Enforcement Policy, its recommended that

authority is delegated to the Assistant Director Environmental Services or their nominee.

2.0 Options and Proposal

- 2.1 That the Leader agrees the Warwickshire Trading Standards Service Enforcement Policy or request that it be amended.
- 2.2 Following agreement by the Leader the Enforcement Policy will be published on the Council's website.

3.0 Financial Implications

- 3.1 None.

4.0 Environmental Implications

- 4.1 None.

5.0 Timescales associated with the decision and next steps

- 5.1 The Enforcement Policy will be published following agreement by the Leader.

Background papers

None

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The report was circulated to the following members prior to publication:

Local Member(s):

Other members: Councillor Crump

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APPENDIX 1

Warwickshire Trading Standards Service

Enforcement Policy

1.0 Introduction

The primary function of the Trading Standards Service is to create a fair and safe trading environment, supporting growth of legitimate businesses and protecting consumers.

We carry out our duties in various ways including: inspection, sampling, test purchasing, testing, investigation and prosecution, but also by informing, advising and educating businesses and consumers. Further information can be found in our Service Standards set out on our website www.warwickshire.gov.uk/ourperformanceandstandards

Whilst our ambition is to work with businesses to achieve compliance, we also recognise the important role of enforcement action to protect consumers. This policy sets out our approach to enforcement based on the principles of Good Regulation, including being:-

- Transparent
- Accountable
- Proportionate
- Consistent and
- Targeted to situations which need action based on an intelligence led approach

(The Legislative and Regulatory Reform Act 2006)

We fully support these principles as part of our commitment to good enforcement practice.

This policy has been prepared having regard to:

Legislative & Regulatory Reform Act 2006

Regulators' Code (April 2014)

Regulatory Enforcement & Sanctions Act 2008

Code for Crown Prosecutors (October 2018)

Code of Practice for Victims of Crime (October 2015)

Human Rights Act 1998

Equality Act 2010

2.0 Our approach to dealing with non-compliance

2.1 Our Principles of Enforcement

Our enforcement policy is based on our approach in providing a Trading Standards service that supports businesses, achieves compliance and protects consumers. We focus our resources using an intelligence led approach based on the issues and challenges at a national, regional and local level.

The principles of inspection and enforcement are:-

- **Targeting** - We aim to prioritise and direct our regulatory effort effectively using intelligence and relevant risk assessment schemes.

Such risk assessments will have regard to all available, relevant and good-quality data. We will give due consideration of the combined effect of the potential impact and likelihood of non-compliance – this approach will enable us to focus our resources on the areas that need them most and to ensure that persistent offenders are identified quickly.

- **Proportionality** - We will ensure that enforcement action is proportionate to the risks involved, and that the sanctions applied are meaningful.
- **Accountability** - We will be accountable for the efficiency and effectiveness of our activities as outlined in the Regulators' Compliance Code.
- **Fairness and Consistency** - We will treat all consumers and businesses fairly.

We aim to give positive feedback to businesses where it is due. We will ensure that our enforcement practices are consistent – this means that we will aim to adopt a similar approach in similar circumstances to achieve similar ends.

- **Openness and Transparency** - We are committed to the open provision of information and advice in a format that is accessible and easily understood.

We will ensure that there is always a clear distinction between those actions necessary to comply with the law, and those which we recommend as best practice but which are not compulsory.

Where businesses have acted against the law we may use publicity to raise awareness, to increase compliance and to improve monitoring of trade practices.

- **Supporting the local economy** - One of our key roles is to encourage economic progress against a background of protection. Wherever possible, we will work in partnership with businesses to assist them in meeting their legal obligations.

Importantly, we will strive to be fair, impartial, independent and objective. Enforcement will be applied in a fair and proportionate manner irrespective of age, disability, gender, marital status, ethnicity or national origin, religion or belief, sexual orientation, socio-economic status or political views. Decisions will not be influenced by improper or undue pressure from any source.

2.2 Provision of Advice & Guidance

We believe that prevention is better than cure and that our role involves actively working with business to achieve compliance. Enforcement action will not normally be triggered as a result of businesses approaching us for advice, where they show a willingness to resolve the non-compliance.

In responding to identified areas of minor non-compliance our officers will clearly explain:

- the nature of the non-compliance
- the advice being given, differentiating between legal requirements and suggested good practice
- actions required or decisions taken, with reasons,

giving an opportunity for dialogue and feedback to ensure advice given and/or decisions taken are proportionate and consistent.

Section 2.2 above does not apply where immediate enforcement action is required to prevent or respond to a serious breach or where providing opportunity for dialogue would be likely to defeat the purpose of the proposed enforcement action.

2.3 Conducting Investigations

We use an intelligence-led approach to target our resources to the areas that most require our attention, based on the resources available. This includes working with other partners at a local, regional and national level. Where we are legally permitted to do so, we share information with other organisations to help us assess risks, prioritise our work and minimise duplication.

When investigating potential non-compliances our officers will comply with all relevant legal requirements and associated best practice guidance, including (as applicable):

- Police & Criminal Evidence Act 1984
- Criminal Procedure & Investigations Act 1996
- Regulation of Investigatory Powers Act 2000
- Criminal Justice & Police Act 2001
- Data Protection Act 2018
- Enterprise Act 2002
- Code of Practice: Powers of Entry (December 2014)

This policy complies with the requirement for the effective management of data as set out in the Warwickshire County Council General Data Protection Policy. This can be found on at www.warwickshire.gov.uk

2.4 Our commitment to victims of crime

This section outlines the standard of service that can be expected by those who have suffered harm which was directly caused by a criminal offence. “Harm” includes physical, mental or emotional harm or economic loss.

Reporting matters to Trading Standards

It is government policy that Citizens Advice Consumer Service handle all initial complaints on behalf of Trading Standards. The complainant can expect a response and advice from Citizens Advice Consumer Services. Trading Standards will only contact the complainant if the matter has been referred to the service, by Citizens Advice Consumer Service, with a commitment to contact the complainant.

Consumers and businesses reporting matters in this way can expect to receive a clear explanation as to:

- i. whether the case has been referred to Warwickshire Trading Standards and when a response can be expected if applicable as set out above.
- ii. what steps you can take to resolve the matter yourself (if applicable).

Trading Standards Investigation

We recognise that some individuals who have been a victim of crime may be vulnerable, intimidated or unfit to give evidence in Court for health reasons. If this applies to you, our officers will explain the options available to help you give your account of what has happened in a way that will be accepted by the Courts.

If you are making a witness statement, our officers will explain that your evidence may be used in Court if the case goes to trial. In some circumstances you may be required to attend Court to give evidence. You may also be provided with a witness information sheet containing additional information and further information is available on the Gov.uk website:

[https://www.gov.uk/going-to-court-victim-witness.](https://www.gov.uk/going-to-court-victim-witness)

You may wish to make a Victim Personal Statement at the same time as giving a witness statement. This gives you an opportunity to explain in your own words how a crime has affected you, whether physically, emotionally, financially, or in any other way. You can choose to make a Victim Personal Statement at a later time, provided this is before court proceedings are completed.

You will receive appropriate updates as to the progress of the case. As a minimum you will be notified of:

- any decision not to pursue the investigation, with reasons
- if the matter is to be brought before the Court, information as to when the case will be heard & whether you are required to attend

- the outcome of the case.

3.0 Decisions as to Enforcement Action

3.1 General Principles

When formal enforcement action is taken, we will provide an opportunity to discuss the circumstances of the case and take these into account when deciding on the best approach. However, this will not apply where immediate action is required to prevent or respond to a serious breach or where to do so is likely to defeat the purpose of the proposed enforcement action. Where the Trading Standards Service is conducting an investigation into possible criminal offences, any discussion of the case may need to be by way of formal interview in accordance with the Police and Criminal Evidence Act 1984.

We will take into account the views of any victim, injured party or relevant person to establish the nature and extent of any harm or loss, and its significance, in making the decision to take formal action. This may include the actual harm or loss or the impact on the well-being of the individual or potential or actual harm to the environment.

In considering enforcement action against businesses that have registered a Primary Authority Partnership with another local authority we will, in accordance with the requirements of the Regulatory Enforcement & Sanctions Act 2008, notify the Primary Authority of the action we propose to take.

The criteria applied in enforcement decisions will be fair, independent and objective, irrespective of age, disability, gender, marital status, ethnicity or national origin, religion or belief, sexual orientation, socio-economic status or the political views. Such decisions will not be affected by improper or undue pressure from any source.

3.2 Overview of Potential Enforcement Actions

A variety of enforcement options are available to help us secure compliance, from advice through to proceedings in Court. Examples of the main types of action that may be considered are summarised below.

Caution

The issue of a caution is subject to the offender's admission of the offence. Cautions are usually issued with advice as to how compliance can be achieved and/or maintained in the future.

Where there is no admission of the offence all other options may be considered.

Refusal, review or revocation of licences

Businesses require licences for certain trading activities. For example, off-licence shops are licensed to sell alcohol subject to proper controls to prevent sales to underage children. Breaches or inappropriate trading activity will be reported to the licensing body, which ultimately can result in the licence being refused, revoked or amended.

Injunctions & other civil actions

We can apply to the Courts to regulate certain types of behaviour that may not necessarily amount to criminal conduct.

Examples of the civil enforcement methods available to us include Undertakings, Court Orders, Civil Injunctions and Criminal Behaviour Orders. These may be used to impose obligations or prohibitions on traders. For example, the Court may order a rogue trader to stop breaking consumer protection laws or prohibit him from cold-calling at consumers' homes.

Failure to comply with a Court Order can lead to further legal proceedings being brought, which can lead to a fine or imprisonment.

Statutory Notices

The Service may serve statutory notices requiring the receiver to undertake specific actions. A notice could be served after a non-compliance has been identified that requires immediate action to rectify it. For example, requiring a business to recall a dangerous product it has distributed.

Fixed and Variable Financial Penalties

In some cases Trading Standards can issue a penalty notice, imposing a fine directly on a business without the need for court proceedings. For example, a fixed penalty can be imposed on an Estate Agent who is in breach of the legal requirement to join a Redress Scheme.

Where the procedure for imposing a financial penalty is set by law we will follow that procedure. In some cases we have discretion as to the financial penalty imposed. For example, a letting agent who fails to join a client money protection scheme can be penalised up to £30,000. We have adopted the National Trading Standards Estate and Letting Team policy on how we determine and apply financial penalties for relevant letting agents.

Prosecution

Prosecution may have serious consequences for a business or individual; a criminal record, adverse publicity, an adverse effect on a business's trading position and in some cases even loss of liberty.

In deciding whether or not to prosecute we apply the Full Code Test laid down in the Code for Crown Prosecutors. This requires the decision-maker to give careful consideration to:

- i. Whether there is sufficient evidence to provide a realistic prospect of conviction against each suspect. We consider whether the evidence is reliable, credible and capable of being used in Court.
- ii. Whether a prosecution is required in the public interest. We consider a number of factors to help us conclude whether or not the serious consequences of prosecution are in the public interest, including those listed in the next section.

We will review every case on an ongoing basis where any material change in circumstances, including what becomes known of the defence case, requires reconsideration of the decision to prosecute.

Forfeiture

This procedure allows us to ask the Court to decide what will happen to goods seized as evidence during the course of an investigation. For example, the Court may order destruction of unsafe counterfeit goods to prevent them re-entering the market-place.

Proceeds of Crime

Following a criminal conviction, we may apply for an order under the Proceeds of Crime Act 2002. This allows the benefits of an offender's wrongdoing to be confiscated in cases where it can be shown that the offender has profited from his/her crime.

Shared Enforcement

We will work alongside other agencies, such as Department for Environment, Food and Rural Affairs (Animal Health), Food Standards Agency (Food and Animal Feed standards), Environmental Health Officers, the Police, Fire and Rescue Service, or HMRC, to share our collective enforcement powers, co-ordinated across agencies to ensure that we minimise unnecessary overlaps or time delays, and to maximise our overall effectiveness.

Publicity

We publicise undertakings, court orders and prosecutions to protect the legitimate interests of consumers and businesses and to help us ensure any restrictions or obligations that have been imposed are complied with. Cautions are not publicised.

Details of enforcement actions published on Warwickshire Trading Standards' website are reviewed every 12 months. Enforcement outcomes will be removed from our website if continued publication is no longer considered to be in the public interest.

3.3 Deciding what Level of Action is Appropriate

Officers taking enforcement decisions will use this Policy as a guide, but every case must be decided on its own facts.

When considering sanctions or penalties available for non-compliance our aim(s) are:

- to change the behaviour of the offender
- to eliminate any financial gain or benefit from non-compliance
- to be responsive and consider what is appropriate for the particular offender and regulatory issue, which can include punishment and the public stigma that should be associated with a criminal conviction
- to be proportionate to the nature of the offence and the harm caused
- to restore the harm caused by regulatory non-compliance, where appropriate
- to deter future non-compliance.

Consideration will be given to the risks associated with the identified non-compliance to ensure our proposed enforcement action represents a proportionate response.

The presence of any of the following factors is likely increase the severity of enforcement action taken:

- Deliberate, pre-meditated or fraudulent acts for gain, including those calculated to provide a commercial advantage
- Negligence or carelessness that caused, or has the potential to cause, significant and/or widespread detriment to others
- Persistent breaches, particularly where previous advice or enforcement actions have been disregarded
- Breaches that caused, or have the potential to cause, physical harm or suffering to people, animals or the environment
- Practices targeted at, or significantly affecting, vulnerable individuals/ groups such as children, the disabled or elderly
- Offences that are likely to be repeated

The following factors may reduce the severity of enforcement action taken:

- The offence was the result of a genuine mistake or misunderstanding, or occurred due to factors outside the trader's control
- A good compliance record, effective management systems and/or recognised external accreditation
- Previous advice has been sought and acted upon (including advice given by others)
- Prompt action is taken to ensure compliance with the law in future
- Prompt action is taken to remedy any problems experienced by consumers, for example by carrying out remedial work or offering compensation

These are not exhaustive lists.

4.0 Having your say

4.1 Dialogue with those we regulate

We seek the views of businesses on the development of this enforcement policy.

We also carry out regular consumer and business satisfaction surveys, across the range of interactions that have taken place with the Trading Standards Service.

Outcomes of satisfaction surveys and complaints against our service are published on our website: www.warwickshire.gov.uk/tsservicestandards.

4.2 How to comment, complain or challenge a regulatory decision

We welcome comments, compliments and complaints about our services as they are seen as an opportunity to develop and improve the way we work.

If you would like to make a comment, complaint, or challenge a regulatory decision, in the first instance please contact the Duty Manager using one of the following methods:

Post: Trading Standards Service, Old Budbrooke Road, Warwick, CV35 7DP

Tel: 01926 414041

Email: tradingstandards@warwickshire.gov.uk

Any decision will be reviewed by an independent manager. If you continue to be dissatisfied following this decision, then you may follow Warwickshire County Councils Corporate Complaints Procedure.

Further details of Warwickshire County Council's complaints procedure can be found at www.warwickshire.gov.uk/complaints. You are advised to read the "Exclusions" section of that procedure. For example, the complaints procedure cannot be used if Warwickshire County Council is taking, or considering, legal action relating to the issue.

4.3 Equality Statement

Warwickshire County Council's Equality and Diversity Policy Statement applies to the Trading Standards service and can be found on our website at www.warwickshire.gov.uk. Should you require this policy in an alternative format and / or language please contact *insert email*.

Targeted enforcement protects the most vulnerable in our communities whilst supporting legitimate businesses to help promote a fair, honest and equitable trading environment. By having regard to legislation, we ensure that everyone is treated fairly, equally and proportionately.

4.4 Review

This policy will be reviewed every 3 years or where major changes in legislation or policy requires it. Minor amendments to the policy can be authorised by the Assistant Director Environment Services or Nominated person.

8th February 2020

APPENDIX 2

EQUALITY IMPACT INITIAL SCREENING TEMPLATE

This initial screening template will help you to decide whether an Equality Impact Assessment (EIA) is required for the development or review of the service/policy/strategy/practice/plan. Before completing this document, please refer to our 'Guide to Equality Impact Assessments' [here](#).

Please note that the Equalities Team is available for advice on the completion of this template and can be contacted on: 01926 412370 or equalities@warwickshire.gov.uk

Name of service/policy: Trading Standards Enforcement Policy. (This template relates to the Enforcement Policy reviewed on 18 November 2019).

Is this service/policy:

To tick the correct box, please right click and select the

- New
- A review or change

What are the aims and objectives of the service/policy:

The primary function of the Trading Standards Service is to create a fair and safe trading environment, supporting growth of legitimate businesses and protecting consumers. This document sets out Warwickshire Trading Standards' policy on dealing with instances of non-compliance with the regulatory requirements it enforces.

Who are the customers:

Residents, businesses, visitors to Warwickshire, other local authority services, elected members, other enforcement agencies.

Note:

Please tick the appropriate boxes depending on the degree of relevance to each of the protected characteristics under the Equality Act 2010 for employment and service provision by right clicking the appropriate box and selecting the

Employment

Will this service/policy/strategy/practice/plan have a particular impact on any of the following groups:	Employment			Relevance/Risk (if any):
	Relevance/Risk:			
	High	Med	Low/none	
Age	<input type="checkbox"/>	<input type="checkbox"/>	✓	
Disability	<input type="checkbox"/>	<input type="checkbox"/>	✓	
Sex	<input type="checkbox"/>	<input type="checkbox"/>	✓	
Race	<input type="checkbox"/>	<input type="checkbox"/>	✓	
Religion or Belief	<input type="checkbox"/>	<input type="checkbox"/>	✓	
Gender Reassignment	<input type="checkbox"/>	<input type="checkbox"/>	✓	
Pregnancy & Maternity	<input type="checkbox"/>	<input type="checkbox"/>	✓	
Sexual orientation	<input type="checkbox"/>	<input type="checkbox"/>	✓	
Marriage & Civil Partnership	<input type="checkbox"/>	<input type="checkbox"/>	✓	

Service Provision

Will this service/policy/strategy/practice/plan have a particular impact on any of the following groups:	Service Provision			Relevance/Risk (if any):
	Relevance/Risk:			
	High	Med	Low/none	
Age	<input type="checkbox"/>	<input type="checkbox"/>	✓	
Disability	<input type="checkbox"/>	<input type="checkbox"/>	✓	
Sex	<input type="checkbox"/>	<input type="checkbox"/>	✓	
Race	<input type="checkbox"/>	<input type="checkbox"/>	✓	
Religion or Belief	<input type="checkbox"/>	<input type="checkbox"/>	✓	
Gender Reassignment	<input type="checkbox"/>	<input type="checkbox"/>	✓	
Pregnancy & Maternity	<input type="checkbox"/>	<input type="checkbox"/>	✓	
Sexual orientation	<input type="checkbox"/>	<input type="checkbox"/>	✓	
Marriage & Civil Partnership	<input type="checkbox"/>	<input type="checkbox"/>	✓	

Will this service/policy/strategy/practice/plan have a particular impact on any of the strands within the Public Sector Equality Duty:	Yes	No
1. Eliminating unlawful discrimination, harassment and victimisation	<input type="checkbox"/>	✓
2. Advancing equality of opportunity	<input type="checkbox"/>	✓
3. Fostering good relations	<input type="checkbox"/>	✓

	High	Med	Low/none
Overall impact on equalities	<input type="checkbox"/>	<input type="checkbox"/>	✓

	Yes	No
Is an Equality Impact Assessment (EIA) required?	<input type="checkbox"/>	✓


Please note: Unless there is little or no relevance to equalities an EIA **must** be completed.

If the decision is made not to carry out an EIA, please give a brief reason as to why:

The Trading Standard's Enforcement Policy is implemented in accordance with laid down legal requirements and guidance, and has little or no impact on any of the groups identified.

If an EIA is not required, please sign and retain a copy of the completed document for your records.

If an EIA is required, please sign and retain a copy of the completed document and complete the EIA document which can be found [here](#).

Name and signature of Officer completing this template	Signature	Date
Jonathon Toy. Group Manager Trading Standards and Community Safety		07.02.2020

Leader Decision

Commissioning of Domestic Abuse Support

23 April 2020

1. Recommendations

- 1.1 That the Leader of the Council authorises the Strategic Director for People to enter into relevant contracts for the provision of adult domestic abuse related support services.
- 1.2 That the Leader of the Council authorises the Strategic Director for People to proceed with entering into a procurement process for the provision of adult domestic related support services which will come into effect from 1 April 2021 on terms and conditions acceptable to the Strategic Director for Resources

2. Key Issues

- 2.1 Warwickshire County Council currently commissions Domestic Abuse services to support people aged over 16 affected by domestic violence and abuse. These services are currently delivered by Refuge.
- 2.2 The contract for these services is due to expire on 31 March 2021 and therefore approval is required to commence a tender process for new provision to start 1 April 2021.
- 2.3 Support services for domestic abuse victims have been commissioned in Warwickshire since the late 1990s. Over the years, this provision has grown and developed as a greater understanding has evolved about how domestic abuse affects individuals and families, and in response to national policy and legislative changes which better support local action to end this form of violence.
- 2.4 In April 2019, AVA (Against Violence and Abuse) was commissioned by Warwickshire County Council to undertake a strategic review into domestic abuse services across the county. The recommendations from the review form the foundations on which the new service provision will be based from April 2021.
- 2.5 The initial contract term will be 5 years. However, the Council will reserve the right to extend the contract up to a further 24 months based on successful contract performance. The contract will allow the Council to vary the service should there be a significant change in resource availability.

2.6 We anticipate that the services are likely to include the following elements (subject to analysis of the needs assessment and available budget):

- Specialist domestic abuse helpline
- Outreach support
- Independent Domestic Violence Advisors (IDVAs)
- Specialist support for male, BME and LGBT victims
- Hospital and GP liaison
- Sanctuary scheme
- Coordination of Warwickshire's Multi-Agency Risk Assessment Conferences (MARACs)
- Perpetrator programme
- Domestic Abuse Refuge (accommodation) provision

3. Supporting Information¹

- 3.1 Nationally, domestic abuse is vastly under reported, however research shows that it accounts for 16% of all violent crime and 1 in 4 women will experience domestic abuse in their lifetime. Domestic abuse also has more repeat victims than any other crime and on average, two women in England and Wales are killed every week by a current or former male partner.
- 3.2 In the year ending March 2018, an estimated 2.0 million adults aged 16 to 59 years experienced domestic abuse in the last year. Women were around twice as likely to have experienced domestic abuse than men (1.3 million women, 695,000 men). With one in five women has experienced some form of sexual violence since the age of 16
- 3.3 For Warwickshire there were 1,895 domestic abuse offences & crimed incidents recorded in March 2019 across Warwickshire.
- 3.4 The percentage of violence with injury that has a Domestic Abuse 'marker' has risen from 27.9% in April 2014 to 35.5% in March 2019
- 3.5 Across the four Warwickshire refuges, 342 referrals were received in the 2018/19 financial year
- 3.6 During the period April 2018 to March 2019, there were a total of 2,407 referrals for Independent Domestic Violence Advisor support, in comparison to the 1,235 during the period April 2012 to March 2015
- 3.7 Between 1st April 2018 and 31st March 2019, there were 5,243 referrals to children's social care, the main reason for 23% (541) of these being Domestic Abuse and during the same period there were 2802 children who had an Early Help Single Assessment, 25% (698) of which identified Domestic Abuse as a factor.

¹ Data from Independent Strategic Review – Domestic Abuse Services 2019

4. Financial Implications

- 4.1 The current annual expenditure for the main contracted services is £655,000. Included in this an annual investment from the Warwickshire Police and Crime Commissioner (WPCC) of £125,000; this investment has been in place since 2015 and has been agreed for 2020/21. At this stage no certainty regarding future funding from the Police and Crime Commissioner exists, as there are elections to this position in May 2021. Whilst efforts to seek a commitment will take place, it needs to be acknowledged that this may affect future commissioning activity and the level of service delivery.
- 4.2 The total annual budget for 2020/21 is £1.114 million, which includes the WPCC contribution. It reflects an additional £0.500m allocation in the Medium-Term Financial Strategy that will contribute towards the development of a new Domestic Abuse Strategy and enhanced services (examples of which are included in item 2.6 above). The total value of the contracts over the potential seven years is therefore £7,000,000. It needs to be recognised that the budget may increase should funding contributions be committed by other partners such as the Home Office and the Police and Crime Commissioner.

5. Environmental Implications

- 5.1 There are no environmental implications

6 Timescales associated with the decision and next steps

- 6.1 The timescales for the procurement exercise is as follows:
- July 2020 – tender process commences
 - October 2020 – contracts awarded
 - April 2021 – contracts start

Appendices

None included

Background Papers

None included

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The report was not circulated to members prior to publication

Leader Decision

23 April 2020

Nuneaton Education Strategy

Recommendation

That the Leader of the Council endorses the establishment of the Nuneaton Education Strategy and its launch in 2020 and implementation supported by a 5-year delivery plan.

1.0 Key Issues

- 1.1 Whilst Nuneaton is the largest town in Warwickshire, it has a number of indicators which demonstrate that it is not performing from economic and social perspectives. Nuneaton and Bedworth have the highest levels of deprivation across Warwickshire and rank as the 111th (of 326) most deprived Local Authority District nationally. Six superoutput (sub-district) areas within Nuneaton and Bedworth are in the top 10% most deprived nationally.
- 1.2 Warwickshire County Council (WCC) and Nuneaton and Bedworth Borough Council (NBBC) are working together to transform Nuneaton town centre. The ***Transforming Nuneaton*** programme of change aims to ***transform Nuneaton into a vibrant, attractive and prosperous town centre that offers a range of opportunities for everyone***. It will create a town where people choose to live, work, shop and visit.
- 1.3 In the same way, Education leaders from the Borough's schools, colleges, educational settings and the County Council, have come together with a range of non-Education partners and stakeholders to take an innovative, place-based approach to improving educational provision, prospects and aspirations for the young people of Nuneaton.
- 1.4 The multi-agency education-focussed approach calls upon the whole community to play a part in ensuring that every child and young person in Nuneaton has the opportunity they deserve and experiences to realise their full potential. By working together in this new, collective approach the partners and stakeholders involved in the Nuneaton Education Strategy aim to achieve these central objectives and have a real impact on the lives of young people in the area.
- 1.5 Through the vision of '***Raising Aspiration, Working Together***' the ***Nuneaton Education Strategy*** will focus on achieving maximum impact

through raising aspirations and helping young people in Nuneaton to succeed in life.

- 1.6 Improving educational outcomes in Nuneaton presents a high level of challenge in comparison to other areas within Warwickshire. Therefore, there is a need for a new and robust approach to raising the quality of provision, levels of achievement and outcomes for children and young people in Nuneaton.

The chart below shows the headline measures comparing Nuneaton and Bedworth, Warwickshire against national performance figures. Nuneaton and Bedworth performance figures are lower in every category.

National Curriculum Stage	Headline Measure	Nuneaton & Bedworth	Warwickshire	National
Early Years Foundation Stage Profile	% of pupils achieving a Good Level of Development - often used as a school readiness measure	68%	72%	72%
Key Stage 2	% of pupils achieving the Expected Standard in Reading, Writing and Maths	60%	65%	65%
Key Stage 4	% of pupils achieving a Strong Pass (Grade4+) in English and Maths GCSEs	60%	71%	65%
	% of pupils achieving a Strong Pass (Grade5+) in English and Maths GCSEs	35%	47%	43%
	Average Attainment 8 Score per pupil	43.5	49.7	46.7
	Average Progress 8 Score	-0.35	0.00	-0.03

- 1.7 The performance of primary schools in Nuneaton has improved in the last year, however the performance of three of the six secondary schools in Nuneaton are amongst the lowest in the county. One secondary school has recently been judged by Ofsted to be outstanding. Practice and outcomes are inconsistent in the town and this needs to be addressed.
- 1.8 A multi-agency, strategic group of partners and stakeholders has been established and has developed the delivery plans to fulfil the strategic ambition of making Nuneaton an exciting, desirable place to live and work. Collectively, members of the group want to recruit and retain the best teachers to come and work in their schools. This is a key objective of the strategy. They want to encourage families to move into the new housing in the area and to be proud of the quality of education which their children receive.

2.0 Options and Proposal

- 2.1 The key focus of the strategy is 'Raising Aspiration, Working Together.' The vision and approach of the local strategy is in keeping with the values and ethos of the Ethical Leadership programme for school leaders and governors.
- 2.2 Draft 5-year delivery plans are now in place, one for each of the three task and finish groups aligned with the strategic themes:
 - Best start possible (Birth-5)
 - Promoting learning – An empowering curriculum (5-19)
 - Ready for work and life (Post 16 and beyond)
- 2.3 The plans include immediate, short, medium and long-term priorities, actions, milestones and key success measures.
- 2.4 In order to maximise the opportunities to raise aspiration, linkage with the Transforming Nuneaton (TN) Programme Board and regeneration within the town is key and has been established. It is proposed that the strategy is aligned to the TN Programme.
- 2.5 Reporting on the progress of the strategy will be made to the Education Challenge Board, Warwickshire Education Strategy Board and Transforming Nuneaton Programme Board with key success measures to be agreed.
- 2.6 There has been detailed engagement with the Executive Director and Director of Housing, Communities and Economic Development at Nuneaton and Bedworth Borough Council. The strategy was well received and support for the programme was endorsed.
- 2.7 Detailed briefings for elected members from Nuneaton and Bedworth have taken place in September (Shire Hall) and October 2019 (Nuneaton Town Hall).
- 2.8 A report on the strategy was provided for Children and Young People's Overview and Scrutiny Committee on 24th September 2019 and the need for the strategy was supported.

3.0 Financial Implications

- 3.1 There are no direct funding implications for WCC.
- 3.2 There are indirect financial implications for the strategy in the form of capacity requirements for the provision of programme coordination.
- 3.2 DfE School Improvement grant funding has been allocated to support the programme.

4.0 Environmental Implications

4.1 None directly.

5.0 Timescales Associated with the Decision and Next Steps

5.1 The Leader is asked to endorse the strategy. A 5-year delivery plan has been developed and three working groups are in place in order to begin to implement the strategy. A launch is being planned for later in 2020.

Background Papers

None

Appendices:

- Nuneaton Education Strategy Summary Graphic
- Governance and reporting arrangements
- Nuneaton Education Strategy - Raising Aspiration, Working Together

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Local Member(s):

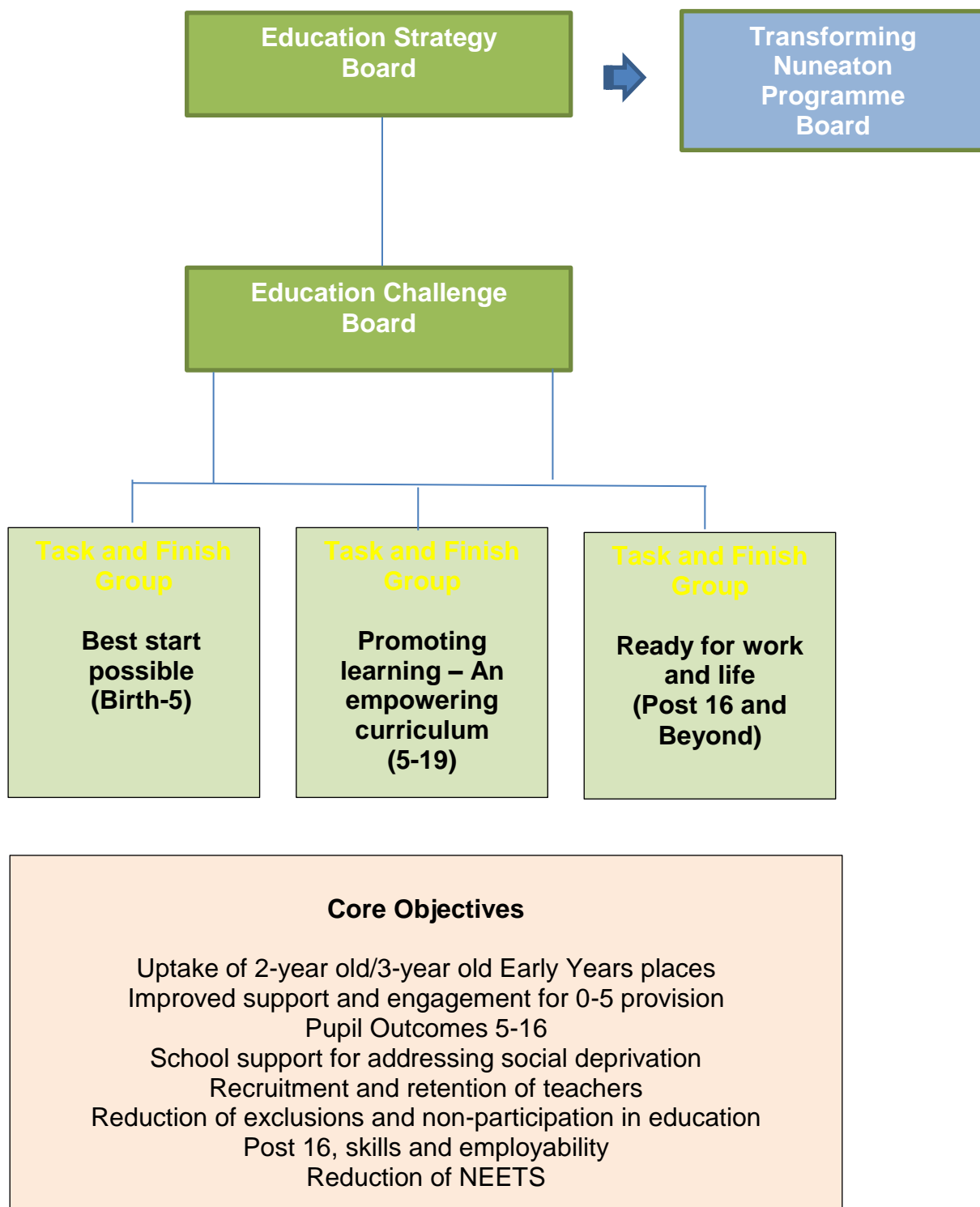
Other members: Cabinet/Portfolio Holder

APPENDIX 1

Nuneaton Education Strategy Summary Graphic

Best Possible Start	Vulnerable Learners and Transition	Empowering Schools	Ready for Work and Life
<p>Good Level of Development (GLD) at age 5 for disadvantaged learners in Nuneaton compared with non-disadvantaged learners will be in line with or better than the national and Warwickshire average.</p> <p>The percentage of Early Years providers/settings that are judged by Ofsted as good/outstanding will be in line with or better than the national average.</p> <p>The percentage of 2-year olds benefitting from funded early education places in Nuneaton will increase in line with the county figure.</p> <p>The percentage of free school meal (FSM) claims in Nuneaton will exceed or match the percentage of claims in Bedworth.</p>	<p>By 2020 every school and college in Nuneaton will have a designated lead in mental health, who works closely with the School Nurse and other relevant professionals.</p> <p>The number of children of statutory school-age not on a school roll due to exclusion/ill health will decrease annually.</p> <p>School leaders in Warwickshire will be taking full responsibility for ensuring that all children have a school place, especially vulnerable learners and Children Looked After. This will mean that learners finding it difficult to participate fully in school will all be on the roll of a school where they are nurtured. They will experience an appropriate education that meets their needs and allows them to achieve.</p> <p>Disadvantaged learners in all formally assessed Key Stages (at the end of: Reception, Years 2, 6 and 11) will be reaching at least the levels of the equivalent cohort nationally.</p> <p>Outcomes for vulnerable learners will improve in schools.</p> <p>The percentage of learners aged 16-17 with an EHC plan recorded as participating in Education training will be above the national average.</p>	<p>The 'Nuneaton Alliance' will be established to offer professional development opportunities, school to school support, recruitment and retention initiatives.</p> <p>All schools will have made a commitment to the Nuneaton Alliance by September 2020.</p> <p>Educational outcomes for children in Nuneaton will be in line with or above the national figure.</p> <p>All schools (maintained and academy) judged as less than good in Nuneaton should, when re-inspected achieve a good outcome.</p> <p>There will be sufficient school places to meet the demand in Nuneaton.</p>	<p>The number of young people in Nuneaton who are in care/care leavers aged 16-19 and not in education employment or training (NEET) will reduce.</p> <p>The percentage of learners aged 16-17 Not in Education, Employment or Training (NEET) in Nuneaton will be in line with the Warwickshire average.</p> <p>The percentage of young people in Nuneaton in sustained education or employment/training destinations (for at least two terms after leaving KS4 or KS5 study) will be in line with the Warwickshire average.</p> <p>Building on the successful Skills for Employment programme, Warwickshire's young people will experience a wide range of career opportunities through further and higher education and apprenticeships. All secondary schools will build on their current relationships with Warwickshire businesses.</p> <p>Post-16 education will include a focus on ensuring choice into apprenticeships and technical or academic pathways.</p> <p>The number of qualifications achieved by adult learners in Nuneaton will increase annually.</p>

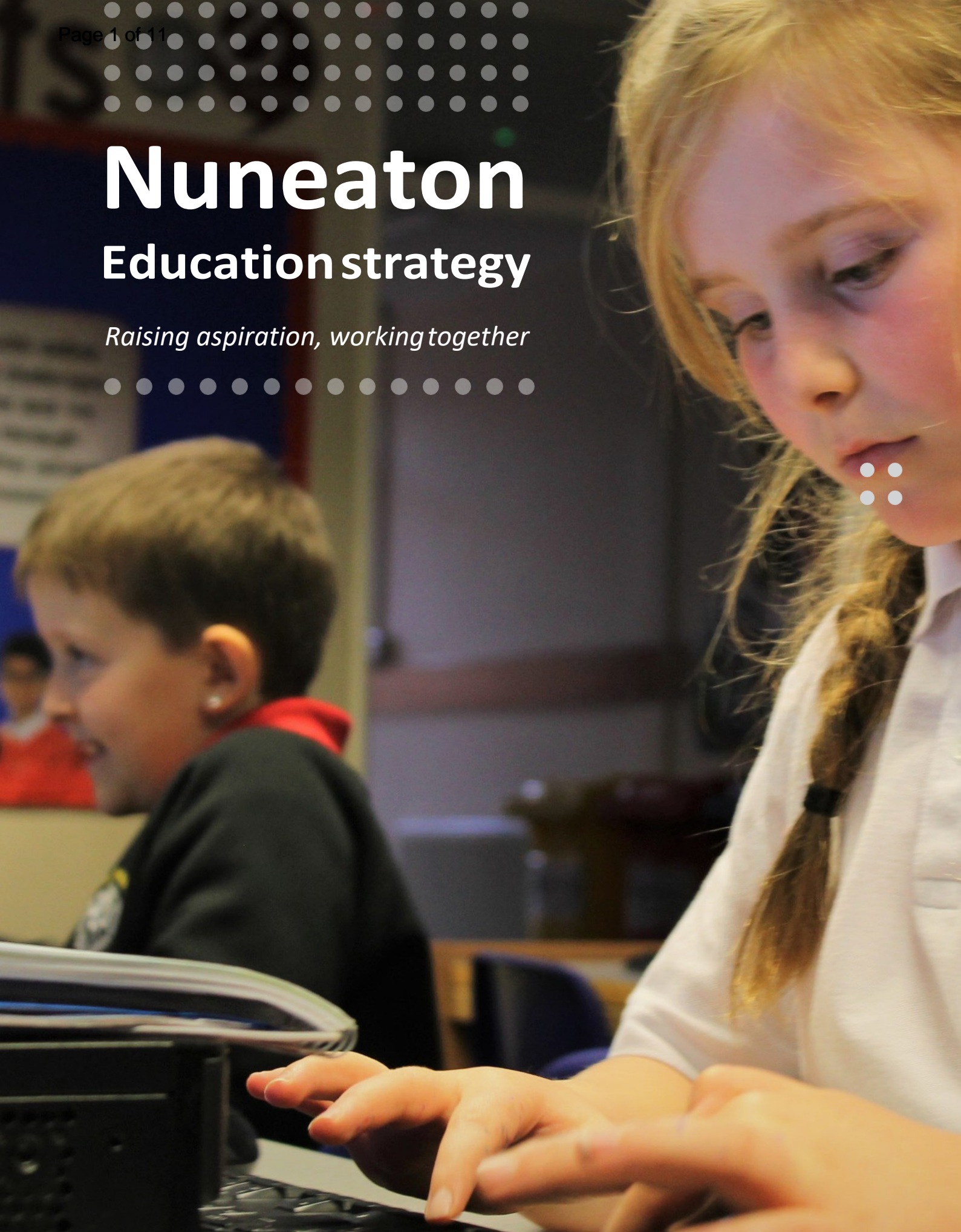
APPENDIX 2 Governance and Reporting Arrangements



Nuneaton

Education strategy

Raising aspiration, working together



Introduction



Warwickshire County Council (WCC) and Nuneaton and Bedworth Borough Council (NBBC) are working together to transform Nuneaton town centre. The Transforming Nuneaton programme of change aims to transform Nuneaton into a vibrant, attractive and prosperous town centre that offers a range of opportunities for everyone. It will create a town where people choose to live, work, shop and visit.

In the same way Education leaders from the Borough's schools, colleges, settings and County Council, have come together with a range of non-Education partners and stakeholders to take an innovative, place-based approach to improving education, prospects and aspirations for the young people of Nuneaton.

The multi-agency approach calls upon the whole community to play a part in ensuring every child in Nuneaton has the chance to realise their full potential and by working together in this new way we can achieve this.

Through the vision of 'Raising Aspiration, Working Together' the Nuneaton Education Strategy will have maximum impact on raising aspirations whilst helping young people in Nuneaton to succeed in life.

Context



At present, some schools within Nuneaton have the lowest educational performance within the county. Nuneaton also has the lowest proportion of category A and B schools and a significant number of primary and secondary schools which Ofsted judges to require improvement. Educational outcomes within some areas of the town are depressed.

The report “*Performance in Bedworth and Nuneaton Schools*” identifies the following concerns:

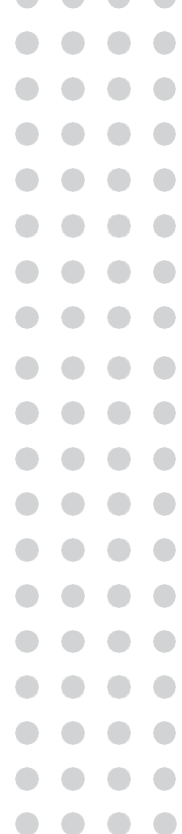
- Pupil cohorts are increasing
- Bedworth has higher proportions of free school meal claimants than Nuneaton, however based on IDACI scores there are higher levels of deprivation in Nuneaton. This suggests fewer families in Nuneaton who are eligible are claiming free school meals
- There are more primary schools of concern in Nuneaton than Bedworth
- Generally primary schools performance is stronger than the secondary performance
- There are three secondary schools which require improvement, all based in Nuneaton and all part of the same multi-academy trust
- Two school sixth forms in Nuneaton are particularly small
- There are higher proportions of engagement with the Youth Justice Service in the borough of Nuneaton and Bedworth than other areas in Warwickshire
- There are higher proportions of teenage pregnancies than other areas of Warwickshire.

Ambition



The ambition of the strategy is to tie in with the high ambitions of the county council and partners to make Nuneaton a town in which people not only want to come to live but also to give their children the best possible start in life with a good education. It is critical that Nuneaton's young people, so many of whom will be key to the town's future prosperity and progress, are encouraged to join in this journey. The time that they spend at school is integral to this.

- Educational aspirations within some areas of the town and community need positive actions in order to be raised
- Recruiting the best teachers to work in the schools in the town and retaining them is vital
- We want parents and carers to work with us to make a really positive contribution to the educational outcomes for their children.



Strategic approach



A new, multi-agency approach will ensure maximum impact from existing resources, using the Bradford Education Covenant¹ as a model. This model is about the whole community coming together to play a part in helping its young people to be successful in life, to aim high and to have every opportunity to achieve their ambitions.

The model is focussed on education as a top priority to:

- Help schools and teachers raise standards
- Support parents to get children ready for school, work and life
- Work with businesses and colleges to increase career options and to give young people valuable, relevant and interesting work experience, increasing their employability
- Celebrate the borough's unique qualities and encourage all to be proud of Nuneaton.

In order to maximise the opportunity to raise aspiration, linking with the Transforming Nuneaton programme board and regeneration within the town is key. Programme opportunities for all will include: clear guidance on learning pathways, access to training and development and work experience. We also want to share inspirational success stories. Nuneaton residents with successful careers will be identified and asked to act as role models, to pledge support and tell their stories to inspire others.

The aims of local education strategies are to increase the wellbeing, aspirations and outcomes for learners. Our approach builds on evaluations of previous local education strategies and initiatives including: Excellence in Cities, Education Action Zones and City Challenges.

The Local Authority can make a difference through its drive to transform Nuneaton and to encourage its residents, businesses and schools to be part of that journey by bringing people together, sharing skills and making links with the public sector and other partners that can really help local communities to fulfil their ambitions.

¹ <https://www.bradford.gov.uk/children-young-people-and-families/parental-polices-projects-and-strategies/bradford-education-covenant/>

Research and evaluation emphasise the importance of effective leadership, networking and collaboration. School leaders thrive when they feel trusted, supported and encouraged in improving provision and outcomes for local learners. This goes hand-in-hand with an approach to tackling issues and sharing learning that is driven by data and knowledge.

In reducing the number of under-performing schools, actions include support with effective use of data, teaching, learning and leadership. Tailor-made solutions, specific to the needs of each school, are important both in tackling the exact issues and in giving school leaders and staff a sense of ownership. We know that we cannot use a single approach and that different forms of support are effective in schools at different stages on their improvement journey.

The wider school workforce thrives where its members are equipped, encouraged and successes are celebrated. This will be done through conferences, schools working together in small groups and also establishing the Nuneaton Alliance. This will be a schools partnerships where there is outstanding practice that others can visit, learn from and be inspired by.

Actions to improve educational outcomes for disadvantaged pupils include working in clusters to share effective multi-agency practice, support for tuition, working with parents or involving pupils in leadership programmes.

The multi-agency approach brings together the whole community to play a part in helping young people to succeed in life. By working together, the Nuneaton Education Strategy will have the maximum impact on raising aspirations whilst helping young people to succeed in life.

A Nuneaton Education Strategy Commitment has been agreed by the strategy group members which sets out the vision for the strategy and key accountability for different stakeholders.

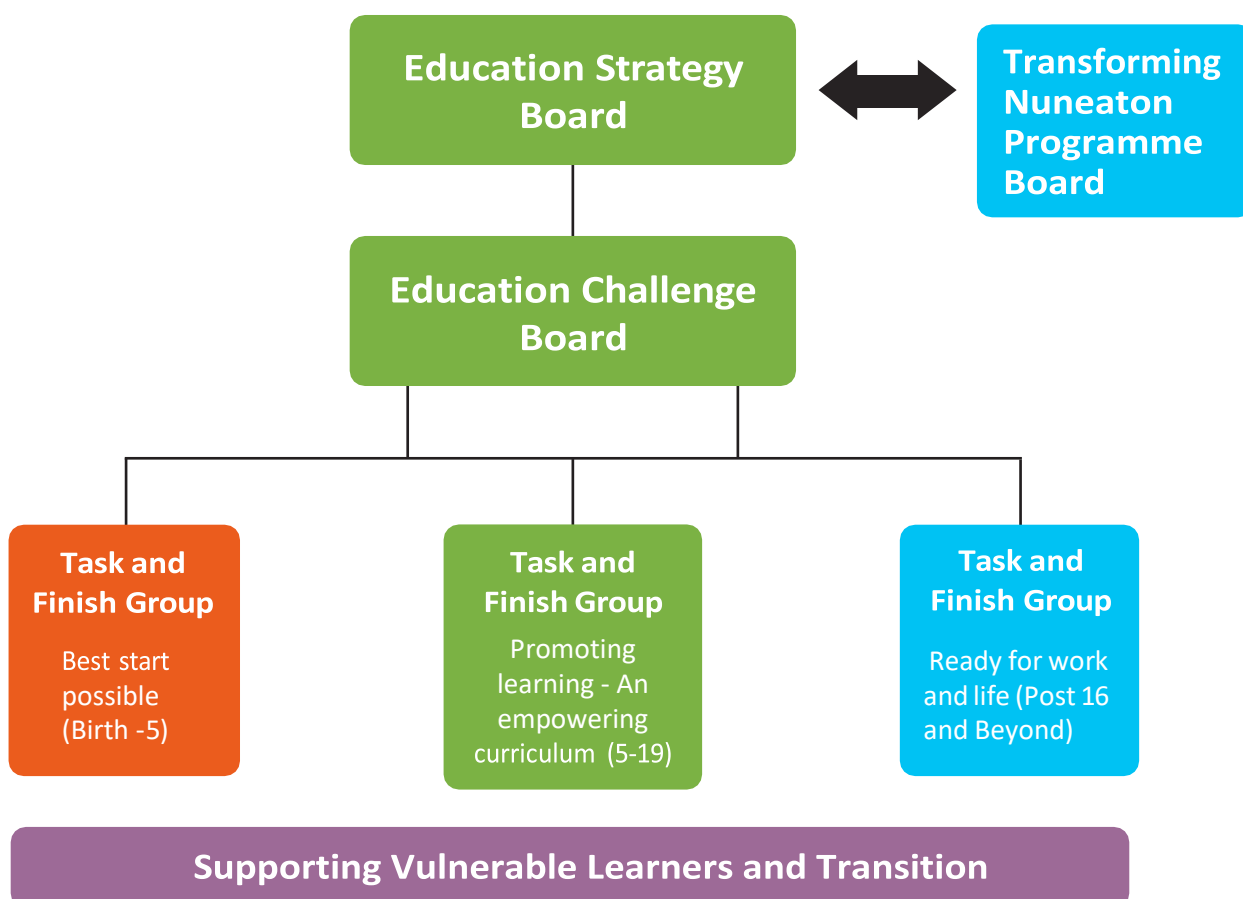
Governance framework



The Nuneaton Education Strategy is also structured in phases of education with each phase including a focus on the needs of vulnerable learners and transition as a cross cutting theme:

- Best Start Possible (0-5)
- Empowering Schools (5-19)
- Ready for work and life (19+)
- Vulnerable learners and transition

Task and finish groups will progress the work programme for the three phases of education and will be overseen by the Warwickshire Education Strategy Board, the Education Challenge Board and reports will be shared with the Transforming Nuneaton Programme Board.





Best possible start



Our Challenge

Our challenge is to foster children's love of learning from birth through early childhood and into Year 1 so that all young children achieve their potential.

Objectives

- To improve outcomes for children within the Early Years and Foundation Stage
- Parents/Carers will support and value early education, encourage and celebrate their child's learning
- Parents/Carers will access a funded early years nursery place
- Early Years Providers and Schools will recognise that all types of early education are part of a wider education system and will share solutions and ideas to improve standards and outcomes
- Raise awareness with leaders and managers across the Early Years sector in relation to ensuring uptake of Early Year Pupil Premium and 2 Year Old funded places.

Activities

- Develop 50 things before you are 5 approach
- Develop training approach and materials for language rich learning at home and family engagement in learning at home
- Pilot "Ready to Learn, Ready for Life".

How we will measure success

Good Level of Development (GLD) at age 5 for disadvantaged learners in Nuneaton compared with non-disadvantaged learners will be in line with or better than the national and Warwickshire average.

The percentage of Early Years providers/settings that are judged by Ofsted as good/outstanding will be in line with or better than the national average.

The percentage of 2-year olds benefitting from funded early education places in Nuneaton will increase in line with the county figure.

The percentage of free school meal (FSM) claims in Nuneaton will exceed or match the percentage of claims in Bedworth.



Empowering schools

Our Challenge

Our challenge is for all learners to enjoy a high quality learning experience.

Objectives

- Improve outcomes for children and young people
- Improve recruitment and retention of high quality school staff
- All schools to have access to family support workers
- Establish Nuneaton Alliance and encourage all schools to make a commitment to actively engage and raise standards of education through collaborative support and development.

Activities

- Nuneaton Alliance launch event
- Strengthen collaboration between head teachers in Nuneaton
- Magistrates in the Community Project (primary schools)
- Collaborative professional development sharing the best practice
- Active engagement with local developers to raise awareness of the Education offer in Nuneaton
- A range of projects targeted to improve outcomes in primary and secondary schools.

How we will measure success

The 'Nuneaton Alliance' will be established to offer professional development opportunities, school to school support, recruitment and retention initiatives.

All schools will have made a commitment to the Nuneaton Alliance by September 2020.

Educational outcomes for children in Nuneaton will be in line with or above the national figure.

All schools (maintained and academy) judged as less than good in Nuneaton should, when re-inspected achieve a good outcome.

There will be sufficient school places to meet the demand in Nuneaton.



Ready for work and life

Our Challenge

Our challenge is to champion employability by promoting the best opportunities for all learners and to Develop a systematic and engaged approach to accessing sustainable employment and further Education opportunities.

Objectives

- Increase engagement with all stakeholders
- Overcome poverty of aspiration and provide opportunities for growth, development and sustainable employment
- Develop strong, sustainable links with local business and industry.

Activities

- Promote social enterprise through the curriculum e.g. Oak Wood youth market
- Develop work experience and supported internship opportunities and access to volunteering
- Strengthen links with Coventry University, City of Culture and Arts and Industry
- Develop peer mentoring opportunities
- Map careers and employability and NEET activity.

How we will measure success

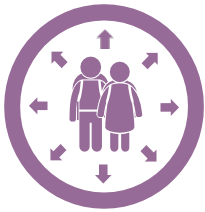
The number of young people in Nuneaton who are in care/care leavers aged 16-19 and not in education employment or training (NEET) will reduce.

The percentage of learners aged 16-17 Not in Education, Employment or Training (NEET) in Nuneaton will be in line with the Warwickshire average.

The percentage of young people in Nuneaton in sustained education or employment/training destinations (for at least two terms after leaving KS4 or KS5 study) will be in line with the Warwickshire average.

Post-16 education will include a focus on ensuring choice into apprenticeships and technical or academic pathways.

The number of qualifications achieved by adult learners in Nuneaton will increase annually.



Vulnerable learners and transition

Our Challenge

Our challenge is to promote a broad, empowering and creative curriculum, focusing on times of transition, and prioritising vulnerable groups.

Objectives

- Improve outcomes for vulnerable learners
- Greater awareness of mental health issues in schools
- Better understanding of behaviour strategies in mainstream schools
- Deliver the SEND transformation programme across all education settings within Nuneaton.

Activities

- Draw together key WCC education projects focused on improving social, emotional and mental health of children and young people, intervention and support for our most vulnerable learners.

How we will measure success

By 2020 every school and college in Nuneaton will have a designated lead in mental health, who works closely with the School Nurse and other relevant professionals.

The number of children of statutory school-age not on a school roll due to exclusion/ill health will decrease.

School leaders in Warwickshire will be taking full responsibility for ensuring that all children have a school place, especially vulnerable learners and Children Looked After. This will mean that learners finding it difficult to participate fully in school will all be on the roll of a school where they are nurtured. They will experience an appropriate education that meets their needs and allow them to achieve.

Disadvantaged learners in all formally assessed Key Stages (at the end of: Reception, Years 2, 6 and 11) will be reaching at least the levels of the equivalent cohort nationally.

Outcomes for vulnerable learners will improve in schools.

The percentage of learners aged 16-17 with an EHC plan recorded as participating in Education training will be above the national average.

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Leader Decision

23 April 2020

Modern Slavery Statement

Recommendation

That the Leader of the Council approves the County Council's updated Modern Slavery and Human Trafficking Statement for the financial year 2020/21.

1. Background

- 1.1. Warwickshire County Council has an annual turnover of over £36m, therefore we are required to produce a statement to comply with the Modern Slavery Act 2015.
- 1.2. The Council's Modern Slavery and Human Trafficking Statement is attached at the appendix. The statement is a public facing statement and once approved, it will be published on the Council's website.
- 1.3. Section 54 of the Modern Slavery Act 2015 requires certain organisations to develop a slavery and human trafficking statement each year.
- 1.4. The statement should set out what steps the organisation has taken to ensure modern slavery is not taking place in their business or supply chain.

2. Financial Implications

- 2.1 There are no specific financial implications arising from the report. The actions and activity outlined within the Modern Slavery Statement can be delivered from within the County Council's existing resources.

3. Environmental Implications

- 3.1. There are no specific environmental implications arising from the report.

4. Background Papers

4.1. None.

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No elected members were consulted in the preparation of this report

APPENDIX

Modern Slavery Act 2015 - Warwickshire County Council's Modern Slavery and Human Trafficking Statement 2020/21

Introduction

Warwickshire County Council is committed to preventing slavery and human trafficking in our corporate activities and in our supply chain management. This statement sets out Warwickshire County Council's actions to understand all potential modern slavery risks related to our services and business and to put in place steps that are aimed at ensuring that there is no slavery or human trafficking in our own services and business and our supply chains. This statement relates to actions and activities during the financial year 1 April 2020 to 31 March 2021.

Organisational Structure

Warwickshire County Council is a local authority which provides a range of statutory and discretionary services delivered both directly by the Council and through external organisations. Our structure can be found on our website by clicking [here](#).

This statement is published in response to the Modern Slavery Act 2015.

Supply Chains

The Council procures goods and services from various suppliers and this is governed by our [Procurement Strategy](#).

Countries of Operation and Supply

Warwickshire County Council only operates within the United Kingdom. Whilst the risk of slavery and human trafficking is considered low due to the nature of the Council's business, the Council remains vigilant to any potential risks, and through our procurement policy, strategy and guidance sets high expectations from its supply chains.

High Risk Activities

The Council considers that, due to the nature of its business and the policies / processes that are in operation, there are no areas of its business that are considered to be at high risk of slavery or human trafficking.

Responsibility

Responsibility for the Council's anti-slavery initiatives is as follows:

Policies: These are developed by officers in the relevant Service area and are agreed in line with the Council's scheme of delegation. Policies are reviewed to ensure that they remain relevant.

Risk assessments: These are undertaken by the relevant service area where there is deemed to be a risk of modern slavery or human trafficking, with support from colleagues in Human Resources and Organisational Development (HR&OD) and Procurement.

Investigations/due diligence: Any concerns regarding modern slavery or human trafficking should be raised with the Council's Head of Service for Law and Governance in the first instance.

Relevant Policies

Warwickshire County Council reviews its policies and procedures on an on-going basis to ensure they remain compliant and fit for purpose. The following policies and procedures are considered to be key in meeting the requirements of the Modern Slavery Act:

Safeguarding policies: In order to safeguard and promote the welfare of children and adults living in Warwickshire the Council's safeguarding strategy is underpinned by a range of policies and guidance. You can find these by clicking [here](#).

Whistleblowing policy: The Council encourages all its employees, consultants contractors, volunteers and workers to report any concerns related to its direct activities, or the supply chains of the Council. This includes any circumstances that may give rise to an enhanced risk of slavery or human trafficking. The Council's [whistleblowing procedure](#) is designed to make it easy for workers to make disclosures, without fear of retaliation.

Employer and Employee Responsibilities Code: The [Council's Code](#) makes clear to our employees the actions and behaviour expected of them when representing the organisation. The organisation strives to maintain the highest standards of employee conduct and ethical behaviour in all its operations and when managing our supply chain.

Recruitment: The Council's recruitment processes are transparent and reviewed regularly. They include robust procedures for vetting new employees, which ensures they are able to confirm their identities and qualifications, and they are paid directly into an appropriate personal bank account. To comply with the Asylum, Immigration and Nationality Act 2006, all prospective employees are asked to supply evidence of their eligibility to work in the UK. References are also requested and followed up.

Agency Workers: The Council uses employment agencies to source additional workforce capacity. Where agency workers are required these are primarily engaged through the Council's managed service provider.

Expectations of suppliers: The Council is committed to ensuring that its suppliers adhere to the highest standards of ethics. Suppliers are required to demonstrate that they provide safe working conditions where necessary, treat workers with respect and dignity and act ethically and within the law in workforce matters. The Council has a dedicated [procurement website](#) and our supplier guidance contains a 'Supplier Checklist'.

Due Diligence

The Council requires its contractors and suppliers to demonstrate their commitment to supporting human rights within their supply chain relating to, for example, child labour, forced labour, health and

safety and working hours. The Council undertakes due diligence when considering taking on new suppliers and regularly reviews its existing suppliers. This is the responsibility of the particular Council contracting managers with the support of the Council's Procurement Team. The Council's due diligence measures in place include:

- the implementation of measures in the evaluation of suppliers to enable the exclusion of suppliers with convictions under the relevant sections of the Modern Slavery Act.
- clarity that if a supplier misrepresents any information, that the supplier may be excluded from the procurement process and from bidding for other contracts in the future. If information comes to light after a contract has been entered into, that supplier may be sued for damages and the contract rescinded.
- a review of contract terms and conditions and appropriate clauses for inclusion to ensure compliance with the Modern Slavery Act. Such terms and conditions are also applicable to sub-contractors in the supply chain.
- embedding a county wide approach to contract management to consider any potential risk of slavery as it relates to each contract, and through active contract management to more effectively ensure that slavery and human trafficking is not taking place in the supply chain.
- the use of new functionality within the e-tendering system to further strengthen the approach to ensuring modern slavery and human trafficking does not exist within the supply chain.

Training

The Council has developed and rolled out an e-learning package to raise awareness of modern slavery and trafficking amongst all employees and workers. This e-learning package is entitled "See Past the Obvious - Vulnerability and Serious Crime" and has been developed in partnership with the Police. It includes a light-touch, awareness raising section on Modern Slavery and Human Trafficking.

Face to face training referencing the Modern Slavery Act was also delivered to social care employees supporting adults in Warwickshire. Awareness has also been raised with social care employees of the legal duty that the Council has under the Modern Slavery Act to notify the Home Office of any individual encountered in England and Wales who the Council believes is a suspected victim of slavery or human trafficking.

Partnerships

The Council works in partnership with a wide range of partners and agencies to prevent abuse and neglect, to detect and report occurrences and to support victims. This includes district and borough councils, Warwickshire Police, Warwickshire Police and Crime Commissioner and the Local Safeguarding Boards. The Warwickshire Safeguarding website and the Council's own website have guidance, procedures and a toolkit relating to the trafficking and exploitation of children and on the duty to report. You can access the Warwickshire Safeguarding website by clicking [here](#).

Approval for this Statement

This statement has been approved by the Leader of the Council, Izzi Secombe. It will continue to be reviewed and provided annually.

Signature:

Date:

Leader of the Council