

Modern Slavery Act Podbriefing Audio Transcript

0:04

Hello my name is Kevin Bales and I am the Professor of contemporary slavery. We are here today to talk about how we can best meet our responsibilities under the new Modern Slavery Act, modern slavery law in the United Kingdom that has to do with supply chains.

0:20

Now I want to say a couple of things about the shirt I am wearing this morning, I know that sounds odd but everything that passes through our lives and through our university is going to be scrutinised to understand how slavery may fit into its supply chain. This shirt I noticed this morning was actually sewn in United States but it actually says on the label from cloth and cotton from other countries. Now, we may think of slavery as people in a sweatshops being forced against their will to sew shirts, we know that slavery permeates the production of cotton around the world, some countries like Uzbekistan use it as a major industry- slave based cotton production. But there is even slavery in the production of cotton seed, which then feeds into the cultivation of cotton in other countries. The point I am making is simply this, supply chains in a global market are complex and we will have to understand that complexity as we look for human rights violations that may be hidden within it.

1:19

The good news is that well, all the United Kingdom is facing up to its new responsibilities under the Modern Slavery Act. At the University of Nottingham we have already made a start on this, we have a research priority area which is looking deeply not just into supply chains but into all sorts of different ways in which slavery might affect our lives and especially affect the lives of those people that are caught in slavery.

1:44

We have also assembled a freedom blue print initiative, something that will help us to stabilise and do necessary particularly research work which will stand as a foundation for new policies not just for the university but for the United Kingdom and even on a global stage. So I think, as we think about our shirts, our pens, our computers, the desk we sit at, we have all got to think through carefully along with the university how we can make sure that slavery is not in that supply chain.

2:17

So I am going to hand over to Jane Hussey now, who is the real expert in this new legislation and together I am hoping we can find our way to making sure the University of Nottingham is a slavery free university.

2:29

Hello my name is Jane Hussey, I am a partner in the law firm Mills and Reeve and one of my areas of specialism is the Modern Slavery Act 2015.

2:40

So what I would like to spend the next 15 minutes or so talking to you about, is why the Act is important, I would like to give you some background to the Act and explain to you more around the duties and obligations of organisations under the Act and finally, I would like to round off by outlining to you the Universities approach to ensuring it is complying with the requirements of the Act.

3:07

Now, many of you will have heard Teresa May, speaking for many years about the impact of modern slavery. By modern slavery we are talking about forced labour, compulsory labour, slavery, servitude and human trafficking. And indeed this is a cause Teresa May has carried throughout her time as Home Secretary and indeed into her time as Prime Minister.

3:37

When the act was being debated Karen Bradley at TechCamp, made this comment as to the aim of the legislation:

"The Modern Slavery Bill is one of the first of its kind in the world, and the transparency in supply chains measure goes further than any other legislation...How businesses respond to it will be crucial. I want to challenge them to look for innovative, the most exciting, the most far reaching and forward thinking solutions to the problem of modern slavery in supply chains."

And, I wanted to bring that quote to your attention because I do think it summarises the overall objective of this piece of legislation.

4:21

But why is the act important? Well as I've said, it seeks to address slavery, servitude, forced and compulsory labour and human trafficking. And importantly it covers conduct that occurs in any part of the world, if that conduct would be an offence in the UK if it were to take place in the UK.

4:45

And, many of you who keep an eye on the press will be aware there is hardly a day goes by when stories of modern slavery type scenarios aren't reported. And indeed the Global Slavery Index currently estimates that there are around 45.8million people in the world in a situation of forced labour- modern slavery. That is a staggering and utterly horrifying figure and probably a figure it is worth you reflecting on.

5:23

In the context of the University, the University has a very clear ethical framework which guides all of the University's activities and these are underpinned by the Nolan Principles. And being very clear on the University's zero tolerance policy on modern slavery, is important in the context of both the University's ethical framework but also in the context of protecting the University's reputation and its academic expertise and indeed the University has specialist academics in this area. So, for example Kevin Bales is the lead author of the Global Slavery Index.

6:03

Let me now turn to giving you a little bit of background to the legislation. This was legislation that had the driving force of Theresa May behind it and there was quite a wide spread consultation exercise that took part in the early part of 2015. There were many stakeholders who engaged in that consultation process from many different parts of business and other interested organisation. The Home Office established the Modern Slavery Unit and we have an Anti-Slavery Commissioner, the first Anti-Slavery Commissioner appointed is a chap called Kevin Highland, and the act came into force at the end of October 2015. As I have mentioned previously, it continues to be a key action area for Theresa May now that she is Prime Minister.

7:00

So what does the Act do? Well, the first thing it seeks to do is to consolidate and simplify the existing offences that exist in UK law around modern slavery. It increases the penalties for those found to be engaged in modern slavery, so businesses and organisations that are using forced or slave labour, trafficked labour and so on, and it also introduces two new civil orders and as I mentioned it creates the Anti-Slavery Commissioner. It also establishes a duty to report potential victims of modern slavery to National Crime Agency and the very innovative part of this piece of legislation is the requirement for supply chain reporting, which is often referred to as the section 54 reporting requirement. It is this element I would like to delve into a little more detail with you.

8:06

So, the annual reporting requirement applies to organisations that have an annual turnover of £36million or above and it imposes the requirement on those organisations to submit or publish an annual report and a linked to that annual report must also be easily findable on the organisations website. In summary, that annual statement needs to outline the preventative measures in place within the organisation and its supply chains, and it also needs to talk about the extent of staff training that has taken place to educate staff in the issue of modern slavery and indeed this podbriefing is part of the University's commitment to that staff training.

9:06

So let's delve in a little more detail about the annual statement and try to relate it a little bit more to the University's activities. The annual statement needs to give information about the organisations structure, its business or activities and the supply chains it uses. So, for example some of your more tradition supply chains such as your catering and cleaning contracts, but equally other activities that the University is involved in that could have a modern slavery risk.

9:45

The annual statement also needs to talk the policies and procedures the University has in place to deal with modern slavery and it needs to outline the due diligence processes the University carries out to assess its risk on modern slavery and seek to minimise it. And again in the context of the University's activities I'd like to comment here that you shouldn't just think about this in the context of the tradition supply chains but you should also think about this in the context of the partnering arrangements, the collaboration arrangements and activities of the international office. So think around this quite widely, in terms of all of the other organisations and businesses that you as a University are interacting with.

10:40

The other element the statement needs to address is the areas of the organisations business and those areas of it supply chains that are considered to be more at risk, if you like, and the steps and measures the University has in place to assess and manage that risk. Interestingly, the Act also requires the statement includes comment on how an organisation would measure how effective the measures, the preventative steps it puts in place are in tackling the issue and minimising risks of modern slavery.

11:19

So, I suppose to put another way this is a journey of continuous improvement for all organisations, so you wouldn't just do a modern slavery statement and it be a snapshot in time, you would go back the year after

and look at what other steps and measures and whether your risk assessment has changed.

11:40

So, I suppose the next question you may pose is, well so what? What's the consequence of not complying with this piece of legislation? Well the Act will be enforced through the Home Office and there are a range of options open to the Secretary of State, including the taking of an injunction to force an organisation to produce an annual statement. But, in the context of the University by far the most significant sanction would be the reputational damage and I commented earlier as to the fact that pretty much every day in the press there is some reporting of a modern slavery style incident, not just in the UK but elsewhere.

12:33

So, I would now like to round up by talking about the University's approach, so its messaging is you like. The University has prepared a draft Anti-Slavery Policy and it has also appointed the Director of Procurement as its Compliance Officer for modern slavery. The University is also looking at its due diligence processes and again that is not just around the traditional supply chain but also I would comment that all of you need to think more widely, as I mentioned before, around your other activities so, your partnering arrangement, the activities of your international office.

13:15

How do you know your partners, the activities you're performing through a third party overseas, are coming up to scratch in the context of the standards that the University requires? Are you sure your international partners understand the requirements of the Modern Slavery Act? Are you confident that the way they use and retain labour achieves the high ethical standards required by the University? Do you really know and understand the way they work and whether there are any risk areas in their organisation? So, I would urge you to think very widely in terms of the impact of the legislation on all other the University's activities.

14:04

Then I would just like to conclude by commenting obviously the University has its whistleblowing policy and that can be used for the purpose of reporting concerns around this piece of legislation. Of course, the Director of Procurement who as I have said is the Compliance Officer for the Modern Slavery Act, the door is open to go and have conversations on issues you are concerned with, but equally there is the whistleblowing policy as well.

14:33

I hope you have found this podbriefing useful, if you would like further information there are details at the end of the briefing.

14:41

Thank you Jane. I think we all know a lot more now about our responsibilities and our opportunities under the Modern Slavery Act and of course our University is already ahead of the game on this. We are thinking through how we can open our supply chains, through our research priorities area and our freedom blue print in particular, we're already working with other groups to build a supply chain into the University and into companies and into communities that will make a difference on slavery.

15:11

We have an initiative as well looking to a slave free Nottingham, working with local government and local police to find a way to help our entire community become slave free and I think as we build from our University to our community we will also be thinking about how to make a slave free world. And if there is one thing you would like to do to explore this issue personally as you sit at home looking at your computer I would recommend looking at slaveryfootprint.org it is a simple test, a simple sort of interactive app that you can use to see how many slaves may have contributed to your personal lifestyle and once you do that I think we will all be able to understand better how it might be something we can grapple with, find in our own lives but also reach out to change.