

Human Trafficking and Exploitation Policy

Introduction

The Comhairle is committed to the principles of the Modern Slavery Act 2015 and the abolition of modern slavery and human trafficking.

This policy will inform employees of forms and indicators of human trafficking and their responsibility to address any suspected instances encountered during the course of their work.

Human Trafficking and Exploitation

Human trafficking is about the illegal trade and exploitation of human beings. Exploitation types include labour exploitation, sexual exploitation, domestic servitude and organ harvesting.

Policy Statement

The Comhairle is committed to preventing slavery and human trafficking in its corporate activities and ensuring that our supply chains are free from slavery and human trafficking.

As a frontline service provider, the Comhairle plays a role in identifying and supporting victims and it is therefore important that employees are aware how these crimes might intersect with their day-to-day duties.

As an equal opportunities employer the Comhairle is committed to protecting and respecting human rights and ensuring a non-discriminatory and respectful working environment. We do not enter into business with any organisation which knowingly supports or is found to be involved in slavery, servitude and forced or compulsory labour.

Relevant Policies

The Comhairle's human resources policies and procedures reflect our commitment to prevent modern slavery and human trafficking. They are designed to ensure that all prospective employees are legally entitled to work in the UK and to safeguard employees from any abuse or coercion. Policies and procedures are reviewed on an ongoing basis to ensure that they remain compliant and fit for purpose. The following policies are considered to be key in meeting the requirements of the Act:

Code of Conduct

The Comhairle promote our Code of Conduct to ensure an environment based on dignity and respect, that does not condone or allow bullying, harassment, discrimination of any other unacceptable behavior.

Reporting Concerns at Work (Whistleblowing) Policy

The Comhairles Reporting Concerns at Work (Whistleblowing) Policy provide employees with the means to report improper conduct or unethical behavior.

Equal Opportunities Policy

The Comhairle is committed to adhering to the Public Sector Equality Duty set out in the Equality Act 2010. The Comhairle's objective is to provide everyone in the authority area with an equal opportunity to live, work and learn free from discrimination and victimisation, including those who experience poverty and social disadvantage.

Recruitment and Selection Policy

The Comhairle undertakes its own recruitment activity through in-house functions. The Comhairle adheres to robust employment checks ensuring eligibility to live and work in the United Kingdom. Processes are in place to ensure that the policy is adhered to and all employees with a responsibility for recruitment and selection are aware of their legal obligations under existing employment legislation.

Procurement, Supply Chains and Due Diligence

Due to the nature of our organisation as a public body, the Comhairle is considered to be a low-risk organisation with regard to modern slavery and human trafficking.

Our suppliers of goods, services and works are procured in accordance with public procurement legislation, which provides that any tenderer guilty of criminal activity, including human trafficking, shall be excluded from the process. Many suppliers are selected from pre-approved UK or Scottish government frameworks.

Legislation

The Modern Slavery Act 2015

The Modern Slavery Act 2015 improved support and protection for victims, helped law enforcement target perpetrators and made sure those involved can be punished.

The Human Trafficking and Exploitation Act (Scotland) Act 2015

The Human Trafficking and Exploitation Act (Scotland) 2015 clarified, strengthened and brought together the existing laws on human trafficking. The Act defines the offences of human trafficking and exploitation as follows:

A person who performs any of the following actions with a view to another person being exploited commits an offence of human trafficking:

- recruitment of another person;
- transportation or transfer of another person;
- harbouring or receiving of another person;
- exchange or transfer of control over another person; or
- the arrangement or facilitation of any of the actions mentioned above.

Offences do not always require coercive means such as threats or intimidation to be present and it is irrelevant whether the victim 'consented' to any part of the action.

Practical Guidance

Employees, during the course of their employment with the Comhairle, may come across situations and people that cause concern and show potential indicators of human trafficking and exploitation. There is no typical victim and some victims may not understand that they are being exploited.

The list below highlights some of the signs that might indicate trafficking or exploitation is taking place. It is also important for employees to take into account the situation and the environment when making observations. The list is not exhaustive and not all indicators will necessarily be present in all situations.

Physical Appearance

- Show signs of physical or psychological abuse, look malnourished or unkempt, anxious/ agitated or appear withdrawn and neglected. They may have untreated injuries

Isolation

- Rarely be allowed to travel on their own, seem under the control or influence of others, rarely interact or appear unfamiliar with their neighbourhood or where they work
- Relationships which don't seem right – for example a young teenager appearing to be the boyfriend/ girlfriend of a much older adult

Poor living conditions

- Be living in dirty, cramped or overcrowded accommodation, and / or living and working at the same address

Restricted freedom of movement

- Have no identification documents, have few personal possessions and always wear the same clothes day in day out. What clothes they do wear may not be suitable for their work
- Have little opportunity to move freely and may have had their travel documents retained, e.g. passports

Unusual travel times

- Be dropped off / collected for work on a regular basis either very early or late at night
- Unusual travel arrangements - children being dropped off/ picked up in private cars/ taxis at unusual times and in places where it isn't clear why they'd be there

Reluctant to seek help

- Avoid eye contact, appear frightened or hesitant to talk to strangers and fear law enforcers for many reasons, such as not knowing whom to trust or where to get help, fear of deportation, fear of violence to them or their family

Responsibilities and Reporting

The Comhairle has a duty to disrupt and deter human trafficking locally. The Comhairle also has a duty to identify, refer and support victims of human trafficking. Identifying victims of trafficking requires every employee to be vigilant and report any suspicions of human trafficking. If any employee witnesses or suspects modern slavery or human trafficking is taking place, they should seek advice from their line manager and/or report their concerns to the relevant contact below:

Contacts

Police Scotland	If you think that someone is in immediate danger contact Police Scotland emergency line by calling 999 To report suspicious activity call Police Scotland's non-emergency line 101
Crime Stoppers	To report human trafficking or related crime anonymously contact Crime Stoppers on 0800 555 111
Modern Slavery Helpline	To get help, report a suspicion or seek advice you are advised to contact the Modern Slavery Helpline on 0800 0121 700

Staff Training and Awareness

To ensure a level of understanding of the risks of modern slavery and human trafficking in our supply chains and our business the Comhairle has produced an e-learning module on LearnPro which will be promoted and available to all employees. This training is intended to improve the understanding and awareness across the Comhairle.

Monitoring and Review

This policy will be monitored periodically by the Comhairle to judge its effectiveness and will be updated in accordance with changes in the law.