

## Appendix 2. Westminster City Council Modern Slavery Statement 2021-2022

### Foreword

Our commitment to fair pay and treatment extends beyond the boundaries of our Westminster community, to encompass those people involved in providing the goods, works and services the council commissions. Protecting workers' rights and preventing modern slavery and exploitation is one of the foundations upon which we can build a fairer economy, and pride ourselves in being a fairer council.

We will continue to work alongside public sector peers, external experts and other partners to learn and share best practice to achieve the best possible outcomes for supply chain workers.

**Adam Hug**

Leader of the Council

Modern Slavery and human trafficking remain pervasive issues both at home and abroad. This Modern Slavery Statement describes how Westminster City Council is putting our Modern Slavery and Exploitation Strategy into action through our procurement and commissioning activities. Our aim is to keep our Westminster community safe and ensure that all relevant agencies are aligned and working collaboratively with the council and its supply chains to tackle modern slavery. Key outcome of our new [Fairer Westminster Strategy](#) is that 'our procurement is responsible and ensures ethical treatment of people'; we commit to doing all we can to make this a reality.

**Cllr Jessica Toale**

Single Point of Access for Modern Slavery

As set out in our new [Responsible Procurement and Commissioning Strategy](#); Westminster City Council is committed to ensuring that human and labour rights are respected throughout our supply chains and that we have the right due diligence procedures in place to tackle modern slavery and exploitation.

Our Procurement & Commercial Service is working hard to continuously improve our approach and build partnership relationships with our contractors to increase supply chain transparency. This Statement sets out the progress we have made to date and the key steps we will take in partnership with our contractors to be more pro-active in tackling modern slavery associated with the organisations we do business with.

**Cllr David Boothroyd**

Cabinet Member for Finance and Council Reform

Westminster City Council has achieved a significant transformation in its approach to responsible procurement and commissioning by professionalising our Procurement & Commercial Service. We now employ staff dedicated to maximising the opportunities our supply chain partners present and minimising the adverse impacts associated with multi-tiered and global supply. Preventing modern slavery and exploitation in our supply chains is a real challenge. We are proud of the work undertaken to date but fully recognise our responsibility to go further. We commit to implementing the Modern Slavery Action Plan set out in this Statement, as part of all procurement and commissioning activity, across all departments and to continuously upskill our staff and contractors to achieve this.

**Stuart Love**

Chief Executive Officer

## Contents

### **1. Introduction**

- 1.1. Our Modern Slavery Statement
- 1.2. Defining modern slavery
- 1.3. The extent of modern slavery
- 1.4. International legal framework
- 1.5. UK legal framework

### **2. Organisational structure and supply chains**

- 2.1. Westminster City Council
- 2.2. Procurement & Commercial Service
- 2.3. Governance
- 2.4. Spend profile and risk prioritisation

### **3. Preventing modern slavery: Westminster City Council**

- 3.1. Ending Modern Slavery (bi-borough) Strategy
- 3.2. Fairer Westminster Strategy
- 3.3. Policy framework

### **4. Preventing modern slavery: Our supply chains**

- 4.1. Summarised progress to date and upcoming activities
- 4.2. Responsible Procurement & Commissioning Strategy
- 4.3. New procurement process
- 4.4. Engagement and consultation
- 4.5. Training on modern slavery in supply chains
- 4.6. Existing contractor risk assessment and prioritisation
- 4.7. Existing contractor Modern Slavery Statement assessment to inform engagement

### **5. Effectiveness: Responding to modern slavery within the council's supply chains**

### **6. Action Plan**

- 6.1. Action Plan - WCC (Westminster City Council) Modern Slavery due diligence  
October 2022 – March 2023
- 6.2. Image: Flow chart of due diligence activity on new and existing contracts

## 1. Introduction

### 1.1 Our Modern Slavery Statement

1. This Modern Slavery Statement describes Westminster City Council's structure and its supply chains, the steps taken by the council to understand potential modern slavery risks related to our business and supply chains and the action taken to prevent modern slavery and human trafficking between 1 April 2021 – 30 September 2022.
2. An Action Plan setting how we intend to continuously improve our approach with both existing and new suppliers has been set out at the end of this Statement, alongside the indicators that will be used to measure our performance. This covers October 2022 – 31 March 2023, the last six months of this financial year.
3. The Labour Party won control of Westminster City Council in the local elections of May 2022. The decision was taken to postpone the publication of this Statement in order to ensure that the commitments within the Action Plan were aligned with our new Fairer Westminster Strategy, launched in October 2022 and the associated levels of ambition to combat modern slavery and exploitation.
4. A refreshed Modern Slavery Statement will be published in Summer 2023, providing an update on progress made by Westminster City Council to March 2023 and setting out updated plans on continuous improvement between 1 April 2023 – 31 March 2024.
5. Work to prevent modern slavery and exploitation in the council's supply chains is being coordinated by the Procurement and Commercial Service and is being delivered in collaboration with departments across the council as part of all procurement activity over £100k. The approach has been endorsed by the Executive Leadership Team and Councils Cabinet who will support the ongoing implementation.

### 1.2 Defining modern slavery

1. Modern slavery is a violation of human rights and is defined within the Modern Slavery Act 2015 as human trafficking, slavery, servitude and forced or compulsory labour. Modern slavery includes exploitation through:
  - **Forced labour** – being made to work for little or no money
  - **Sexual exploitation** – coerced or forced into selling sex
  - **Domestic servitude** – forced to work within a home environment for little or no pay
  - **Criminal exploitation** – forced to break the law for someone else e.g begging or selling drugs
  - **Forced/sham marriage** – forced to marry someone without consent
  - **Organ harvesting** – organ removal for financial gain
2. Westminster City Council's role in tackling modern slavery in the borough is set out for context. However, the main focus of this Modern Slavery Statement is on tackling forced labour; how we as an organisation ensure that this has no place within our business; the steps we have taken so

far to try and ensure that it does not form a part of our supply chains and the actions we will take to make ongoing improvements to our approach to due diligence.

3. Victims/survivors of modern slavery can be of any age, gender or ethnicity. Exploiters often target the most vulnerable people in society, for example those fleeing conflict, children or people impacted by homelessness. Exploiters wield control over the people they exploit making it difficult for victims/survivors to leave. Exploiters may use violence, threats of violence, perceived debt or threats to the lives of victims/survivors or their family and friends. Victims/survivors of modern slavery may not know who to trust or where to seek help to leave the exploitative situation. For victims/survivors of modern slavery, the consequences to their physical and mental wellbeing can be severe. Specialist support is often required to allow them to recover from their experiences of exploitation.

### **1.3 The extent of modern slavery**

1. Modern slavery is a global human rights issue, and the council's supply chains span the UK and international borders. In 2017, the International Labour Organisation estimated there were 40 million people in modern slavery, with 25 million people exploited through forced labour.<sup>1</sup>
2. There are an estimated 100,000 victims/survivors of modern slavery in the UK<sup>2</sup>. The National Referral Mechanism (NRM) is the UK Government's system used to record the number of victims of modern slavery in the UK and provide support to recover from their exploitation. In 2021, 12,727 referrals were made for potential victims to the NRM in the UK. In 2021, Westminster City Council completed 25 NRM referrals for adults and children they encountered who were potential victims of modern slavery.

### **1.4 International legal framework**

1. Founded in October 1919 under the League of Nations, the International Labour Organisation (ILO) is a United Nations agency whose mandate is to advance social and economic justice by setting international labour standards. The ILO's labour standards are set out in 189 conventions and treaties, of which eight are classified as fundamental according to the 1998 Declaration on Fundamental Principles and Rights at Work. Together, they protect freedom of association and the effective recognition of the right to collective bargaining, the elimination of forced or compulsory labour, the abolition of child labour, and the elimination of discrimination in respect of employment and occupation.
2. The United Nations Guiding Principles on Business and Human Rights are a set of guidelines for States and companies to prevent and address human rights abuses committed in business operations. They were unanimously endorsed by the UN Human Rights Council in 2011. These Principles support the achievement of the United Nations Sustainable Development Goal (UNSDG) Target 8.7 to eradicate forced labour, modern slavery and human trafficking by 2030.

---

<sup>1</sup> International Labour Organization, (2017) Global Estimates of Modern Slavery: Forced Labour and Forced Marriage

<sup>2</sup> Justice & Care and The Centre for Social Justice, (2020) It Still Happens Here

## 1.5 United Kingdom legal framework:

1. The Government's work to implement the UN Guiding Principles on Business and Human Rights is set out in the UK's National Action Plan on Business and Human Rights. The most significant legislation to pursue human rights in business enacted within the UK is the Modern Slavery Act 2015. Under Section 54 of the Act, commercial organisations with an annual turnover of more than £36 million are required to report the steps they have taken to ensure modern slavery is not taking place in their business and supply chains.
2. A Private Members' Bill to make further provision for transparency in supply chains in respect of slavery and human trafficking has been sponsored by Baroness Young of Hornsey. As well as strengthening existing provisions for commercial organisations, this Modern Slavery (Transparency in Supply Chains) Bill seeks to broaden the scope of the Modern Slavery Act 2015 to include public authorities.
3. Westminster City Council is publishing this Modern Slavery Statement to prepare for this change in law and demonstrate our ongoing commitment to tackling modern slavery.

## 2 Organisational structure and supply chains

### 2.1 Westminster City Council:

1. The City of Westminster is home to just under 270,000 residents, with pre-Covid19 figures of an additional c. 750,000 workers, students and visitors coming into our borough each day.
2. The council comprises of 54 councillors elected every four years, three for each of the 18 wards. They councillors are democratically accountable to residents of their ward. The overriding duty of councillors is to the whole community, but they have a special duty to their constituents. All councillors meet together as the council. Meetings of the council are open to the public. Here councillors decide the council's overall policies and set the budget each year. The council elects a Leader who in turn appoints and provides leadership to a Cabinet, responsible for implementing the policies decided by the council within the budget set.
3. Executive Leadership: Westminster City Council employs approximately 2500 people on a full-time basis. Our Chief Executive oversees the council's seven Directorates, some of which are 'bi-borough' Directorates (serving both Westminster City Council and the Royal Borough of Kensington and Chelsea):
  - **Deputy Chief Executive, and Bi-Borough Executive Director of Adult Social Care:** Manages the Bi-borough Adult and Public Health department ensuring the safety and wellbeing of vulnerable people over 2 boroughs, in conjunction with other key strategic partners.
  - **Executive Director of Finance and Resources:** Responsible for the council's finance, property investment, procurement, IT (Information and Technology) and digital transformation services as well as the council's corporate property department.

- **Executive Director of Growth, Planning and Housing:** Responsible for the delivery of high-quality housing and a vibrant economy with opportunities for all and places workers, visitors and residents can enjoy.
- **Executive Director of Innovation and Change:** Responsible for the council's policy, strategy, analysis, change and communication functions. Supports the council in engaging with residents and businesses, ensures that strategy is underpinned by analysis and evidence, and drives innovation across the council's services.
- **Executive Director of Environment and City Management:** Responsible for keeping the city safe, clean and secure for residents and visitors to enjoy.
- **Bi-Borough Executive Director of Children's Services:** In conjunction with other key strategic partners, responsible for improving the lives and life chances of children and young people within Westminster and Kensington and Chelsea.
- **Director of People Services:** Responsible for the council's People Services function, supporting Westminster through driving initiatives whose foundations lie in the three pillars of the Westminster Way; everyone has talent, everyone is a leader, and everyone is valued.

## 2.2 Procurement and Commercial Service:

1. The Procurement and Commercial Service supports officers across the council with best practice advice and guidance through the stages of the procurement and contract management lifecycle. It is a centralised service that leads on all procurement activity valued at £100,000 or more. The team is comprised of the following functions, with roles relevant to action on modern slavery also described:
  - **Heads of Commercial** – Provide a strategic link between the Procurement & Commercial Services and each council Directorate. Their role in relation to modern slavery is to communicate upcoming training opportunities and changes in policy and procedures to relevant Directorate representatives. They also provide a layer of quality assurance when the council tenders for higher risk/ spend contracts.
  - **Tendering Service** – Undertake procurement and commissioning exercises over the value of £100k. Commercial managers and officers work closely with the responsible procurement function to ensure that modern slavery and exploitation risks are considered from the outset. Responsibility for spend under a value of £100k is devolved to departments and for that reason, and in the interest of prioritising resources and impact, the actions set out within this Statement relate to contract values of £100k and above.
  - **Contract & Supplier Management** – The majority of contract management is devolved to departments; however, this team has developed and oversees the council's Contract Management Framework. Supported by the Responsible Procurement function, they ensure that modern slavery requirements incorporated into contracts are translated into relevant KPIs (Key Performance Indicators) for contract managers to monitor. Screening procedures

on business performance will be undertaken before contract award, with one of the aims being to identify potential breaches of modern slavery.

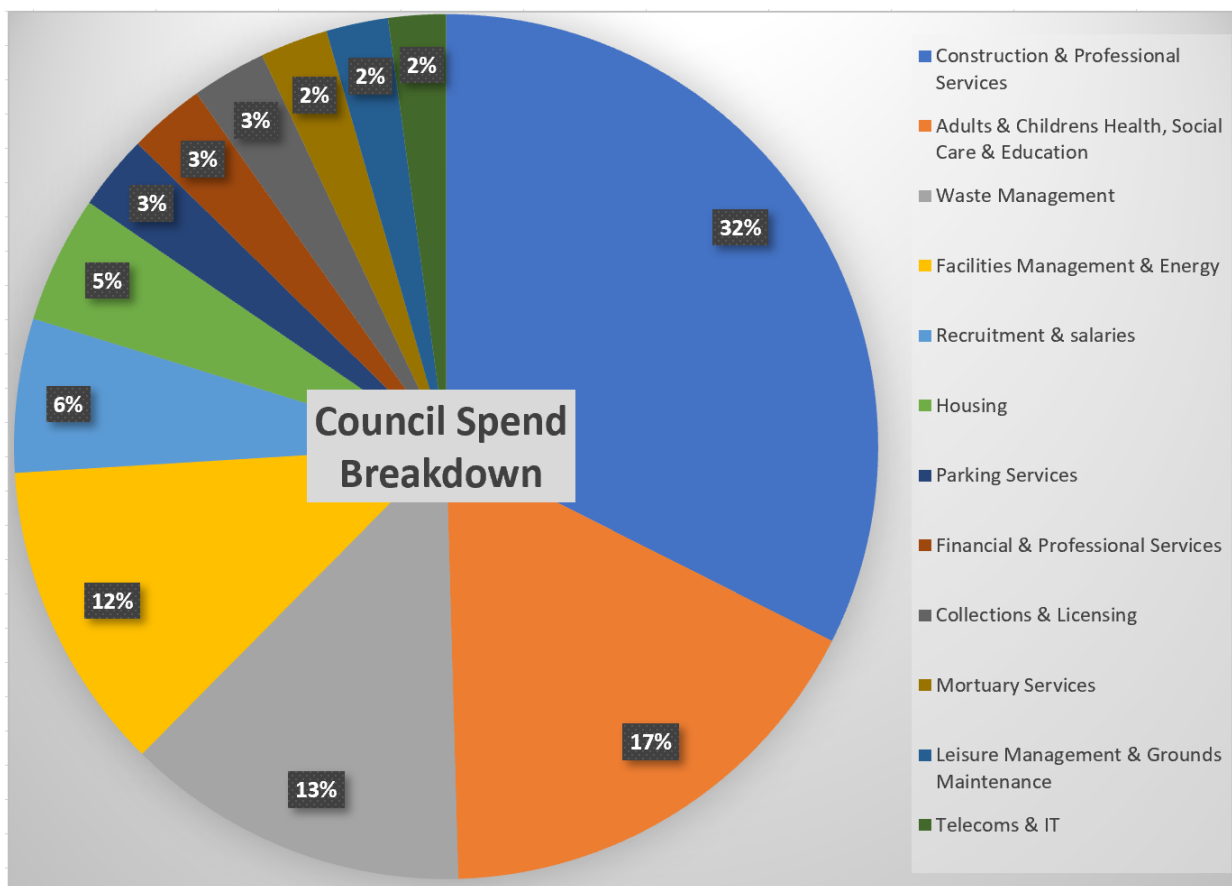
- **Responsible Procurement, Policy and Systems** – Ensure that relevant law and policy is followed across all procurement activity, provide systems to ensure efficient and transparent procurement activity, which can be reported effectively. The responsible procurement function is also part of this team, which leads on the delivery of the Responsible Procurement & Commissioning Strategy and associated modern slavery workstream.

## 2.3 Governance

1. **The Procurement Code** sets out the requirements which must be followed in respect of all procurement and contract management activity. The Code states that the council expects all officers involved in procurement activity to ensure they are aware of and comply with all legislation, corporate strategies and policy; to take the necessary action to formally disclose situations of potential, perceived or actual conflict of interest; to behave with the highest levels of probity and integrity, making specific reference to the Bribery Act 2010 and the council's Code of Conduct. It informs officers of the appropriate governance and procurement assurance processes to be followed, as well as the approvals that must be obtained to ensure good business practices are applied and risks are minimised.
2. **The Commercial Gateway Review Board (CGRB)** is a governance body with membership from Procurement, Finance, Legal and Supplier Management, which reviews procurement activity at key stages, to provide assurance to Executive Directors and Cabinet Members responsible for making decisions.
  - At the **procurement strategy** stage, the Board reviews and challenges the justification for the proposed selection and award criteria, including the split between Quality, Responsible Procurement and Price. Considerations will include budget requirements, influenceable spend, market size and capability, risk inherent in the services, and what can realistically be achieved. The procurement strategy will justify the elements of Responsible Procurement or Commissioning that have been included and will explain how the market has been (or will be) engaged to ensure suppliers are aware of the council's expectations and their responsibilities
  - At **contract award** stage, the Board reviews the commitments made by the preferred bidder relating to Responsible Procurement to ensure that they are appropriate – this includes understanding how the elements will be monitored during the contract and whether any specific KPIs have been included in the contract.

## 2.4 Spend Profile and risk prioritisation:

1. Westminster City Council currently spends just over £500m on goods, works and services to deliver statutory services and support our community. This spend can be broken down into the following categories:



2. The council aims to identify and mitigate risks of modern slavery and exploitation associated with all contracts. However, to prioritise our resources to engage with, train and support our supply chain partners, the following sectors have been identified and are set out below in order of priority. These categories represent approximately 88% of council spend:

- Construction and related professional services** – Risks include direct and sub-contracted workers on site, especially jobs requiring less specialised skill sets, services associated with construction sites e.g., security, as well as potential modern slavery and exploitation in the supply chain of a wide range of construction products and materials.
- Waste Management** – There are some risks associated with the direct waste collection and disposal contract workforce in the UK and also higher but far more complex risks associated with transitioning to electric fleets and the prevalence of modern slavery and exploitation in mineral supply chains e.g., cobalt and lithium used in electric vehicle batteries.
- Telecoms & Information Technology (IT)** – Risks in this sector are most common in global supply chains e.g., when technical support services are outsourced overseas, but especially when contracts include the provision of IT hardware. There are high risks associated with manufacturing including assembly, testing, packaging and labelling of (sub)components, and of products themselves including electronic components, sub-assemblies or materials (especially gold, tin, tungsten, tantalum, which can be derived from ‘conflict minerals’)



- **Facilities Management & Energy** – This broad category has a wide variety of risks. Relatively low risks are associated with directly employed staff in e.g., catering, cleaning and security sectors. Higher risks further up the supply chain include food harvesting, processing and fisheries, manufacturing of textiles for uniforms and PPE (Personal Protective Equipment) and manufacturing of other products, especially electrical and electronic equipment e.g., solar panels, surveillance equipment, electric vehicle charge points, heat pumps etc.
- **Housing** – The main risks associated with this category are similar to the construction and facilities management & energy categories above i.e., contracts involving jobs requiring less specialised skill sets and those through which we source high risk products such as electrical and electronic equipment. Contracts falling under this category that relate to temporary, sheltered housing or similar will be prioritised in terms of the opportunities for contractor staff to be trained on identification of potential victims of modern slavery.
- **Parking** – There are low risks associated with direct jobs requiring less specialised skill sets and higher, more complex risks associated with higher supply chain tiers including technical support services based overseas and especially ICT including surveillance equipment.
- **Adults & Children’s Services, Health, Social Care and Education** – Priorities for these contracts is the training of staff working with vulnerable service users on identification, support and signposting of potential victims of modern slavery. Risks also exist in terms of consumables associated with such services, including PPE.
- **Recruitment** – Risks are low but exist within UK recruitment agencies, especially associated with workers classed as vulnerable or those with English as a second language.

### 3 Preventing modern slavery within the council

#### 3.1 Ending Modern Slavery (bi-borough) Strategy:

1. Westminster City Council has a dedicated officer shared with the Royal Borough of Kensington and Chelsea coordinating the councils’ responses to modern slavery. The council is an active member of the Modern Slavery and Exploitation Operational Group, a partnership across Westminster, Kensington and Chelsea and Hammersmith & Fulham. The Operational Group is attended by council officers, Metropolitan Police, NHS (National Health Service), Non-Governmental Organisations (NGOs) and other professionals responding to modern slavery.
2. The actions set out within this Modern Slavery Statement is part of the council’s wider response to modern slavery, as outlined in the five-year strategy ‘[Ending Modern Slavery: Our Strategic Coordinated Community Response 2021-2026](#)’. This work is delivered in partnership with the Royal Borough of Kensington and Chelsea and was co-produced by partners, including survivors and residents. The Ending Modern Slavery Strategy is based on four key objectives: Victims Identified, Victims Supported, Exploiters Brought to Justice and Exploitation Prevented. This Modern Slavery Statement is part of our Strategy’s objective of ‘Exploitation Prevented’.

#### 3.2 Fairer Westminster Strategy

1. Westminster City Council Launched its new [Fairer Westminster Strategy 2022-26](#) in October this year, based on five pillars: Fairer Environment, Fairer Communities, Fairer Economy, Fairer Housing and Fairer council. The delivery of our Strategy is based on the principles of openness and transparency, partnership and collaboration and diversity and inclusion.
2. This Strategy recognises the key role procurement and commissioning have in ensuring a Fairer Westminster; how our council does business and the impact on the wellbeing of those in our supply chains. A specific outcome within the Strategy states that 'Our procurement is responsible and ensures ethical treatment of people' and this Modern Slavery Statement, set within the context of our Responsible Procurement and Commissioning Strategy detail how we intend to do this.

### 3.3 Policy framework

1. Westminster City Council has various policies in place to prevent inequality in the workplace, protect against discrimination, and ensure that there is always a safe route for staff to escalate malpractice concerns. They include:
  - **Employee Code of Conduct:** All Westminster employees, and the employees of consultants, contractors, partners, secondees and agency staff carrying out work or providing services on the council's behalf must act in accordance with the council's Employee Code of Conduct. As part of this, staff recognise a duty to comply with the law, the council's constitution, code of governance and terms and conditions of employment. This includes any circumstances that may give rise to human trafficking or slavery risks.
  - **Whistleblowing Policy:** Applies to employees of the council, employees of contractors working for the council, those providing services under a contract or other agreement with the council, and voluntary workers working with the council. All such individuals are encouraged and indeed, expected to raise suspected misconduct, illegal acts or failure to act within the council and are assured that they are free to do so without repercussions. This includes any serious concerns that individuals have about service provision or the conduct of officers or members of the council or others acting on behalf of the council. In the period 1st April 2021 – 31st March 2022 there were no concerns about potential risks of modern slavery raised through whistleblowing channels.
  - **Recruitment Policy:** The council has a robust and transparent recruitment and selection process. We ensure all our staff, including agency employees, are appropriately checked. Offers of appointment are dependent upon receipt of original identification documents, eligibility of right to work in the UK, satisfactory references, evidence of any required qualifications and registrations, and where necessary, the outcomes of Disclosure and Barring Service checks. For agency employees, we work with a neutral vendor-managed service provider. We ensure that they comply with our rigorous processes in recruiting their new staff.
  - **Pay Policy:** The council is open and transparent about the pay of the Chief Executive and senior officers, as well as the gender pay gap data. We continue to believe that to employ the best people and ensure the best outcomes for residents we must be prepared to pay competitive salaries. The minimum full-time equivalent hourly rate of our pay to employees

as of 1st April 2022 was £13.53, which is significantly higher than the recommended London Living Wage rate of £11.95.

- **Anti-Fraud and Corruption Strategy:** The council will not tolerate fraud or corruption by our councillors, employees, suppliers, contractors or service users. We are committed to investigating all allegations of fraud or corruption and pursuing the sanctions available in each case, including removal from office, dismissal and/or prosecution.
- **Anti-Bribery Policy:** It is the council’s policy to take a zero-tolerance approach to bribery and corruption and we are committed to the detection, prevention and deterrence of bribery. All of our personnel will act honestly and with integrity at all times, reporting any suspicions they have of bribery either occurring or being offered.
- **Anti-Money Laundering Policy:** Through our policy on anti-money laundering staff and Members of the council have a responsibility to be vigilant and act promptly where money laundering is suspected. We are committed to ensuring our continued compliance with the legal and regulatory requirements in this area.
- **Safeguarding Policy:** The council supports the London Multi-Agency Adult Safeguarding policies and procedures built on strong multi-agency partnerships. The council supports and protects adults at risk to prevent abuse and neglect where possible, providing a consistent approach when responding to safeguarding concerns. This shared approach encompasses the joint responsibility for managing risk, promotes timely information sharing and enhances co-operation among participants that respects boundaries and confidentiality within legal frameworks and underpins the six principles of all adult safeguarding work. The council adheres to the London Child Protection Procedures and statutory guidance Working Together to Safeguard Children 2018 to ensure that children at risk of harm from modern slavery and exploitation are safeguarded appropriately. The council is committed to multi-agency partnerships working via the Local Safeguarding Children Partnership (LSCP) and the Violence Against Women and Girls Board (VAWG).
- **Ethical Procurement Policy:** Due to the relevance of the Ethical Procurement Policy to this Statement, sections 1-4 are set out in full below:

#### **Westminster City Council Ethical Procurement Policy**

	<b>Ethical Procurement Policy requirements:</b>
1. Employment, contractual and working conditions	<ul style="list-style-type: none"> <li>a) Suppliers afford employees the freedom to choose work and do not use forced, bonded or involuntary prison labour</li> <li>b) Suppliers, and any employment agents used, do not require workers to lodge “deposits” or their identity papers with their employer</li> <li>c) Suppliers allow workers to leave employment in accordance with their agreed contractual notice period or where not expressed in writing, a reasonable notice period agreed with the employee.</li> <li>d) Suppliers provide a clear, accessible policy and processes for resolving disputes with their employees.</li> </ul>

	<p>e) Suppliers provide clear policy for disciplinary, grievance and appeal procedures that are fair and lawful. Any disciplinary measures should be recorded in writing and employees legal and contractual employment rights should be protected.</p> <p>f) Suppliers should encourage and enable employees to report suspected wrongdoing in the workplace and seek to protect ‘Whistleblowers’ i.e. those individuals who make disclosures with regard to any instance of malpractice or wrongdoing which the Supplier should investigate those disclosures that are in the public and council’s interest where pertaining to the Council’s public works or services contract(s) with the Supplier.</p> <p>g) Suppliers must take adequate steps to prevent accidents and injury to health arising out of, associated with, or occurring in the course of an employees’ employment whilst delivering services or works under the Council’s contract and comply with the Health and Safety Act 1974 (which may be amended from time) and other related health and safety at work legislation or regulations.</p>
2. Freedom of association and the right to collective bargaining	<p>Where permitted by Trade Union and Labour Relations (Consolidation) Act 1992 and Article 11 of Human Rights Act 1998 :</p> <p>a) Suppliers must not restrict their employees the opportunity or right to join or form a trade union of their choice.</p> <p>b) Suppliers must not discriminate against employee representatives and allow time to carry out representative functions for colleagues in the workplace</p>
3. Working hours and regular employment	<p>a) Suppliers comply must comply with the Working Time Regulations 1998 and Working Time (Amendment) Regulations 2003</p> <p>b) Suppliers must not impose a working week of more than 48 hours on the employees delivering services or works under the Council’s contract unless the employee has voluntarily opted out to more hours.</p> <p>c) Suppliers must ensure that employees are provided with agreed contract of employment setting out their contractual rights and obligation expressed in writing.</p> <p>d) Suppliers do not avoid obligations to employees under labour or social security laws and regulations arising from the regular employment relationship through the use of labour-only contracting, sub- contracting, or home-working arrangements, or through apprenticeship schemes where there is no real intent to impart skills or provide regular employment, nor shall any such obligations be avoided through the excessive use of fixed-term contracts of employment</p> <p>e) Suppliers shall only use zero-hour contracts as a last resort and only where appropriate taking into account the nature of the services.</p> <p>f) Suppliers are working towards eliminating zero hours contracts OR in the circumstance that</p> <ol style="list-style-type: none"> <li>i. employees express a preference for Zero-hour contracts or</li> <li>ii. where appropriate taking into account the nature of the services Suppliers give more protection to the work force such as adopting an element of guaranteed hours if requested and ensure their employees receive their entitlement to holiday and sick pay.</li> </ol>
4. Humane treatment, equalities	<p>a) Suppliers must comply with the Human Rights Act 1998, Employment Relations Act 1999 (Blacklists) Regulations 2010 and the Equalities Act 2010 in consideration of the following:</p>

and blacklisting	<ul style="list-style-type: none"> <li>i. Suppliers prohibit physical abuse or coercion, the threat of physical abuse, sexual or other harassment and verbal abuse or other forms of intimidation in the workplace.</li> <li>ii. Suppliers must not discriminate in hiring, compensation, training, promotion, termination or retirement either directly or indirectly regarding their employees.</li> <li>iii. Suppliers must not unlawfully compile, use, sell or supply a prohibited list which: <ul style="list-style-type: none"> <li>• Contains details of persons who are or have been members of trade unions or persons who are taking part/ have taken part in the activities of trade unions, and</li> <li>• Is compiled with a view to being used by employers or employment agencies for the purpose of discrimination in relation to recruitment, or in relation to treatment of employees in the workplace.</li> <li>• Contains details of persons who are or have been involved in whistleblowing to appropriate bodies as a result of becoming aware of any deficiency in service provision of the Council's contract, impropriety, fraud, customer abuse, breach of procedure or maladministration</li> </ul> </li> <li>iv. Suppliers must report on gender pay gaps if in scope of Schedule 1: Gender Pay Gap Reporting of The Equality Act 2010 (Specific Duties and Public Authorities) Regulations 2017</li> </ul> <p>b) Suppliers are working towards collating the necessary information to generate ethnicity pay gap and disability pay gap data</p>
5. Living Wage	<p>Contracts executed by any contractor (including sub-contractors), who supplies an employee who provides a service or completes works, involving 2 or more hours of work a day, on any day of the week, for 8 or more consecutive weeks of the year:</p> <ul style="list-style-type: none"> <li>a) Supplier declares that they have read and understood the Authority's Living Wage Policy Statement</li> <li>b) Supplier declares that they have read and understood the Living Wage obligations as defined and set out in the Council's Contract terms and conditions.</li> <li>c) Supplier understands that it is the intention of the Council <b>NOT</b> to enter into contract with any contractor who does not comply with the Authority's Living Wage Policy including the requirement that contractors must pay employees the Real Living Wage in respect of their time working on a Westminster City Council contract or grant funded service.</li> <li>d) Supplier understands that the Authority may reject my submission in its entirety if the bid information discloses that my organisation (and any of my sub-contractors) is not willing to pay the Living Wage rates for the UK and London, as set independently and revised annually by the Living Wage Foundation, to its employees providing services and delivering works under their public contracts.</li> </ul>

#### 4 Preventing modern slavery: Our supply chains

##### 4.1 Summarised progress to date and upcoming activities

- 1 The following table summarises the action taken to prevent modern slavery and exploitation in Westminster City Council’s supply chains over the last 18 months; April 2021 – September 2022. It also includes 12 key actions that will be undertaken over the rest of the financial year 22/23 i.e., October 2022 – March 2023.

**Action taken on Modern Slavery and Upcoming Activities: Summary**

	<b>Financial Year 2021/22</b>	<b>Financial Year 2022/23</b>
<b>QTR 1 Apr - Jun</b>	<ul style="list-style-type: none"> <li>Responsible Procurement &amp; Commissioning (RPC) lead resourced within Procurement &amp; Commercial Services</li> <li>Spend/risk analysis undertaken to identify priority spend categories</li> <li>Launch of bi-borough ‘Ending Modern Slavery’ Strategy</li> </ul>	<ul style="list-style-type: none"> <li>High level risk assessment of existing contracts begins</li> <li>Evaluation of the Modern Slavery Statements of higher risk contractors begins = <b>Indicator 2</b></li> <li>Review of RPC approach by new administration</li> </ul>
<b>QTR 2 Jul - Sep</b>	<ul style="list-style-type: none"> <li>New, tailored approach to RPC developed with tackling modern slavery and exploitation as a key objective</li> <li>Modern Slavery due diligence criteria incorporation into high-risk contracts begins = <b>Indicator 1</b></li> </ul>	<ul style="list-style-type: none"> <li>Design and delivery of half-day workshops on modern slavery in supply chains delivered to 120 procurement, commissioning and contract management staff in Westminster and Kensington and Chelsea.</li> </ul>
<b>QTR 3 Oct - Dec</b>	<ul style="list-style-type: none"> <li>Draft Supplier Charter with modern slavery and exploitation requirements developed, to be used as part of supplier selection</li> <li>Consultation on new approach to RPC with 170 staff by means of seven category-specific workshops</li> <li>Approach improved through integration of feedback</li> </ul>	<p><b>UPCOMING ACTIVITIES</b></p> <ul style="list-style-type: none"> <li>Work with Contract Managers to complete high level risk assessment of existing contracts = <b>Indicator 3</b></li> <li>Integrate Supplier Charter standard procurement procedures = <b>Indicator 4</b></li> <li>Engage with contractors on Modern Slavery due diligence requirements = <b>Indicator 5</b></li> <li>Initiate supplier-led, detailed, contract specific risk assessment = <b>Indicator 6</b></li> <li>Term contractor briefings = <b>Indicator 7</b></li> <li>New RPC Strategy endorsement and implementation</li> </ul>
<b>QTR 4 Jan – Mar</b>	<ul style="list-style-type: none"> <li>Consultation on new RPC approach including proposed Supplier Charter and award criteria with 100 suppliers across a wide range of sectors, including SMEs</li> <li>First RPC Strategy launched</li> <li>RPC training delivered to procurement and commissioning staff including an introductory session on modern slavery in supply chains</li> </ul>	<ul style="list-style-type: none"> <li>Development of internal RPC toolkit</li> <li>Links, guidance and tools for contractors</li> <li>Framework review = <b>Indicator 8</b></li> <li>Support development of action plans by contractors = <b>Indicator 9</b></li> <li>Begin regular and systematic monitoring of contractor continuous improvement = <b>Indicator 10</b></li> <li>Joint work with London boroughs on achieving a Just Transition i.e., ensuring that sourcing clean tech is not at the expense of human/ labour rights</li> </ul>

- 2 Ten indicators are set out, which will be reported on as part of our refreshed Modern Slavery Statement to be published in Summer 2023. A table setting these indicators out in further detail and where they fit into the procurement and contract management process for new and existing contracts can be found at the end of this Statement.

#### **4.2 Responsible Procurement and Commissioning Strategy**

1. The £500million annual spend on third party contracts is seen by the Council as a significant lever to drive positive action on important issues that have become an increasing priority locally, nationally and globally. The council recognises our potential to tackle the climate emergency, contribute to the local and national economic recovery, drive greater workforce diversity and inclusion and increase transparency to protect human and labour rights in our supply chains.
2. The council created a Responsible Procurement Manager role as part of the Procurement & Commercial Service transformation. From April 2021, the responsibility of this function included a wholesale review of Westminster's existing approach to achieving social value, diversity and inclusion, environmental sustainability and ethical sourcing through its procurement and commissioning activities and the development of a new strategic approach to making continuous improvements in these areas.
3. The council's Procurement and Commercial Service worked with colleagues across the organisation to consult, develop and launch Westminster's [Responsible Procurement and Commissioning \(RPC\) Strategy](#) in February 2022. The RPC Strategy serves as a framework to deliver Westminster's local priorities and contribute towards wider sustainable development goals, whilst providing the best possible value for the council, its residents and its partners. This RPC Strategy has been revised to ensure the achievement of Westminster City Council's priorities under our new Labour-led administration.
4. The RPC Strategy focuses on the delivery of local community impact and social value, as well as wider goals related to sustainable development and responsible business. Ensuring fair pay and conditions of our supply chain workforce and combatting modern slavery and labour rights abuses are key commitments within the RPC Strategy. These commitments are aligned with our overarching 'Ending Modern Slavery' Strategy.

#### **4.3 New Procurement Process**

##### **Introduction:**

As part of our Responsible Procurement & Commissioning Strategy, modern slavery due diligence is integrated into each stage of the procurement process to ensure the right level of ambition is set, our expectations are clear, that we work with committed contractors and that actions are regularly monitored and continuously improved through the life of each contract.

##### **Terms and conditions:**

- Westminster's standard terms and conditions set out the requirement that contractors, their staff and their subcontractors must comply with Modern Slavery legislation and our right to terminate the contract for breaching these terms. If in scope of Section 54 of the Modern Slavery Act 2015, contractors must complete a valid annual Modern Slavery Statement.
- If a contractor suspects or becomes aware of a Modern Slavery Act Offence, the contractor is required to notify the council and the council may inform the Police or any relevant bodies

and require the contractor to remove any subcontractor or staff member suspected or known to have committed an MSA Offence from the performance of the contract.

- Our terms and conditions also refer to the council Policies set out in Section 3.3. Those of particular relevance to the conduct of supply chain partners include our Policies on Whistleblowing, Anti-bribery and Corruption, Safeguarding and Ethical Procurement.

#### **Specification/ Scope of Works:**

- Setting out the steps that will be required up front forms the basis of the ongoing collaborative work that will take place to increase supply chain transparency. All tender exercises that Westminster City Council undertake, for contracts within our high-risk categories set out in Section 2.4 of this Statement, include specific contractual requirements within the goods/service specification or scope of works. These requirements build upon our standard terms and conditions and supplier selection requirements.
- An introduction is provided, stating why additional modern slavery criteria are being incorporated, including why the contract is deemed high risk. This is followed by a clear set of time-bound actions, the extent of which are determined by factors including the nature and duration of the contract, anticipated level of risk, the likely structure of supply chain tiers etc. A typical set of requirements include:
  - A designated point of contact responsible for modern slavery due diligence
  - An initial risk assessment of the supply chains involved in the delivery of our contract – refreshed over time and when new organisations are incorporated
  - The development of (an) action plan(s) to mitigate the modern slavery and exploitation risks identified, with associated progress updates

#### **Supplier selection:**

- Our Supplier Charter, which forms part of the council's supplier selection process, is designed to ensure that we work with contractors with similar value and commitments as Westminster. The Charter is implemented as a set of pass/fail questions within the Selection Questionnaire or qualification envelope, but the requirements are tailored according to the nature of the contract, value and duration in order to ensure proportionality i.e. they are included on a project-by-project basis.
- Aside from the requirement to provide a Modern Slavery Statement up-front if they fall within the scope of Section 54. Of the Modern Slavery Act 2015, for all other requirements bidders are asked to indicate "yes/no" to committing to either:
  - that the requirement has already been achieved or
  - that it will be achieved within the 'date required' timeframe, at which time evidence will be sought by WCC Contract Managers. This allows time for newer/smaller organisations to put resources in place within 3, 6 or 9 months depending on the requirement.
- If suppliers indicate 'no' that they will not be willing or able to meet any of the requirements within the timeframe stipulated, they will be given the opportunity to detail why this is the case and put forward alternative timeframes or proposals. It is at the council's discretion as to whether this bidder will be allowed to progress. The council will seek clarification with the bidder before the decision is taken. Mutually agreed requirements would then be inserted into the contract specification.



- The following is an excerpt from the Supplier Charter, showing the requirements that relate to modern slavery. These selection criteria are used specifically within tenders that pose a high risk of modern slavery as part of direct service delivery or within the supply chain. As such, they are added into tenders on a case-by-case basis, establishing their technical and professional ability in terms of supply chain management and tracking systems relating to modern slavery due diligence, that they will be able to apply when performing the contract.

	Supplier Charter Requirement	Date required	Sectors/ Spend categories/ Contract type	Contract Value	Contract Duration
5. Modern Slavery	a) Supplier has a published, valid Modern Slavery Statement as set out in Section 54. Modern Slavery Act (MSA) 2015	SQ	Only suppliers within scope of s.54 of the Modern Slavery Act 2015	£100k+	Any
	b) Supplier has a <b>modern slavery/ risk/ H&amp;S/CSR lead</b> or point of contact whose (at least partial) role is to oversee and continuously improve approaches to Modern Slavery due diligence within (in)direct recruitment and supply chains	Within 3 months	Suppliers within sectors at high risk of modern slavery within (sub) contracted recruitment e.g. those within construction, waste, security, hospitality, agriculture, janitorial, logistics & transport, health & social care	£500k+	12 months+
	c) Supplier has <b>summarised the due diligence procedures</b> undertaken to guard against modern slavery occurring through (in)direct recruitment or supply chains <i>(For suppliers not in scope of Modern Slavery Act 2015 s.54)</i>				
	d) Supplier has a <b>suitable system/ procedure</b> in place to enable <b>supply chain transparency</b> and <b>assess modern slavery risk</b>	Within 6 months	<b>AND/OR</b> Suppliers sourcing high-risk products e.g. food, construction materials, electronic equipment, other manufactured products e.g. textiles, PPE & medical supplies.	£2m+	
	e) Supplier has <b>completed the <a href="#">Modern Slavery Assessment Tool (MSAT)</a></b>			£5m+	
	f) Supplier has <b>initiated recommended actions identified by the MSAT</b>	Within 9 months			

#### Supplier Evaluation:

- For lower risk contracts, those with which the council has relatively low leverage and/or those within which the main risks are not related directly enough to the subject matter of the contract, supplier approaches to modern slavery due diligence are evaluated as part of award criteria, as opposed to set requirements in the specification/ scope. In December 2021, the council approved an increase in minimum weighting for responsible procurement evaluation applied to tenders from 5% to between 10-20% minimum, depending on the nature of the contract and the risks and opportunities involved.

**Contract Management:** KPIs linked to the requirements of the relevant tier of the Supplier Charter alongside milestones of any additional requirements set out in the specification/ scope of works are monitored by contract managers, supported by the responsible procurement function.

#### 4.4 Engagement and consultation

- After the Procurement & Commercial Service had identified priority areas for responsible procurement and commissioning in Summer 2021, a series of seven consultation workshops were held with a total of 170 procurement and commercial staff, contract managers and service leads across the council. These were category-specific sessions, with content tailored towards the sustainable development and social value risks and opportunities of each sector, including risks of modern slavery and exploitation. The workshops acted as a means of awareness raising and collaborative development of interventions in the procurement process, as each group provided input as to the context of the industries they work with.
- In February 2022, as part of the launch of the council's original Responsible Procurement and Commissioning (RPC) Strategy, P&CS organised an event inviting almost 100 existing large and small suppliers and other SMEs and VCSEs (Voluntary, Community & Social Enterprises) interested in doing business with the council to an RPC consultation event. The team were joined by peers across the organisation supporting various RPC themes e.g., climate emergency,

social value, employability etc. and by colleagues who lead service delivery and contract management functions. The event break-out sessions were focused on detailed scrutiny and feedback on the council's draft 'Supplier Charter' (see Section 4.3(8)) and RPC supplier evaluation methodology (See Section 4.3(9)). The feedback provided highlighted the importance of the availability of detailed guidance for suppliers on modern slavery and exploitation in particular, and especially for smaller organisations with fewer resources.

#### 4.5 Training on modern slavery in supply chains

1. An extensive amount of Responsible Procurement and Commissioning training has been delivered to the P&CS team throughout 2021 and 2022, which included an introduction to modern slavery in supply chains. This was comprised of a series of short online sessions focused on specific sectors alongside a face-to-face half day interactive workshop, where staff participated in exercises to apply new RPC approaches to example tenders.
2. Responsible procurement, contract management and modern slavery leads from Westminster and Kensington & Chelsea input into the development of a series of three 3-hour training sessions, which were delivered by 'Action Sustainability', subject-matter experts in modern slavery in supply chains. These were interactive workshops participated in by 120 procurement, commissioning and contract management staff across the boroughs. Themes covered included:
  - Modern slavery context, prevalence and case law
  - Supply chain transparency
  - Procurement due diligence
  - Risks, vulnerabilities and demographics
  - Risk and supply chain mapping

#### 4.6 Existing contractor risk assessment and prioritisation

1. Suppliers and service providers who were awarded contracts before the above due diligence procedures were implemented may only have contractual modern slavery requirements set out in their terms and conditions, therefore they may not have continuous improvement requirements on supply chain transparency built into their contracts. With this in mind, the Procurement and Commercial Service began a risk assessment of our existing contracts.
2. In Spring 2022, P&CS began to look at existing higher spend contracts to undertake a high-level assessment of modern slavery risks, the methodology of which was aligned with the Government's Modern Slavery Assessment Tool (MSAT) and Cabinet Office guidance, this high-level assessment aimed to determine the relative level of risk of modern slavery occurring within our contractors' supply chains and/or the opportunity to identify such exploitation. RAG (Red, Amber, Green) ratings were assigned to the following parameters:
  - The inherent level of **risk associated with the industry or sector** – *higher risk sectors relevant to local authorities include construction, waste management, manufactured goods including medical and ICT equipment, services including hospitality, security services, cleaning and catering, logistics including warehousing, transport, healthcare, social care etc.*

- **Commodity type** – *Imports at highest risk of forced labour in the UK are electronics, food products (fish, cocoa, rice), garments, personal protective equipment (PPE) and construction materials (bricks, cement, rubber).*
  - The risk associated with the **supply chain model** - *contracts with significant use of sub-contractors, complex employment relationships with a reliance on agency, outsourced or subcontracted workers, use of labour recruiters in the supply chain, those associated with complex supply chains and those where purchasing is predicted only on a profit margin matrix are typical factors implying higher risk.*
  - **Nature of the contractor workforce** – *for example, contracts relying on jobs requiring less specialised skills sets are at higher risk, as are those with high numbers of temporary, seasonal, or agency workers, those involving dangerous or physically demanding work and/or isolation of workers etc.*
  - The level of opportunity presented for staff employed on contracts to **identify potential victims of modern slavery** is also considered when identifying contracts of focus *i.e., if the contract involves front line services with visibility of people vulnerable to exploitation e.g., homelessness outreach or contracts involving visiting premises or street patrols.*
3. Some aspects that are important to factor into the assessment are not known by the P&CS team as they are not as involved in the detail of the delivery of the goods, services or works. The factors assessed above are therefore just the starting point of the risk assessment and other factors need to be taken into account through engagement with the WCC contract manager and supplier account manager and relevant colleagues. These include supplier/ supply chain locations (some countries have a higher prevalence of modern slavery than others) and the context in which the supplier operates (e.g., there are higher risks associated with conflict zone, regions of high levels of poverty and unemployment, those with widespread discrimination amongst certain groups, etc.)

#### **4.7 Existing contractor Modern Slavery Statement assessment to inform engagement**

1. For both existing and new contractors within sectors deemed high risk, the council assesses the quality of the supplier's Modern Slavery Statement, if they fall under the scope of s.54 of the Modern Slavery Act. If they do not fall within scope and are a new supplier, they are required to produce a summary of due diligence and other action taken by their business as part of the Supplier Charter requirements set out in our Selection Questionnaire/ qualification envelopes.
2. Our assessment matrix aims to apply the guidance from the Home Office on what a Modern Slavery Statement should ideally contain and provide a score for each area covered, to enable the council to provide feedback and ask suppliers to focus on areas that are less well developed.
3. The assessments are for internal use only to help focus our efforts and guide supplier conversations, they are not published or shared with any party except for the suppliers' concerned. The assessment of the Statement does not form part of evaluation of any supplier during the tender process. Section 4.3 sets out how modern slavery and exploitation is dealt with as part of our procurement and commissioning activities.

4. Each of the criteria is given a score from 0-5, and each section is weighted according to its relative importance i.e., due diligence is weighted higher than details on policies.
5. An assessment of the Modern Slavery Statement is just one measure of the commitment a supplier has to tackle modern slavery in its business and supply chains. Still, it is a good indicator of relative progress compared to counterparts within the sector and provides a useful starting point for ongoing discussions with the contractor as part of Supplier Relationship Management.

### Assessment Matrix used to evaluate the quality of supplier Modern Slavery Statements

1. Organisational structure	Describes main products / services / customers
	Describes structure of org (location of company operations, subsidiaries)
	Discloses countries sourcing goods & services
	Discloses supplier details (names, contract type, products)
	Describes workforce (temp/ seasonal)
2. Policies	Relevant policies outlined (incl whistleblowing, Code of Conduct, HRs, etc)
	Process for development, oversight & implementation
	Senior leadership involvement & sign off
	Informed external stakeholders
	Policy development included training & awareness among staff
	Improving old policies
3. Due diligence	Organisational involvement in development of policy
	Assessment of supplier's risk of forced labour before entering contract
	Sets out supplier Code of Conduct / principles & expectations with suppliers
	Sets out ILO labour standards & expectations with suppliers
	Suppliers participate in self-certification or questionnaire incl MS component
	MS provisions included in contracts
	Details of auditing process (incl unannounced audits)
	Details on risk management processes (whether it covers MS / labour rights)
	Monitoring of supplier risk (engagement with stakeholders incl workers)
Grievance mechanisms in place (raising complaints / concerns)	
4. Risk assessment & management	Provide details on risk assessment/ HRs / MS risks in supply chains; or conducted a focused assessment
	Disclosure of violations that have been identified (country, commodity, tier, etc)
	Engagement with potentially affected rights holders when undertaking assessment
	Engagement with external stakeholders in developing risk assessment
	Mapped supply chain
	Provides details of social audits
	Developed action plans
5. Effectiveness	Disclosure of corrective action plans (incl results)
	Reviews suppliers' compliance with MS related code of conduct/ principles
	Specific KPIs in place
	Tracking KPIs (e.g. no. complaints made, no. trained on MS, etc)
	Company decisions informed by performance indicators
6. Training	Provides remedy & compensation to identified victims
	MS training to all employees
	Tareggetted to different groups within company
	Describes format of training
	Regular basis / refresher courses
	Developed with external stakeholders / experts

### 5 Effectiveness: Responding to modern slavery within the council's supply chains

1. As described in the previous section, Westminster City Council undertakes as much due diligence as practicable to avoid supply chain modern slavery risks in the first place. The council sets out expectations within our terms and conditions, as part of the selection of our direct suppliers i.e., before they are brought through to the tendering stage and on an ongoing basis before contractors source from third parties on our behalf. These activities are carried in line with the principles of proportionality according to the value of the contract, our relative leverage and the levels of risk associated with the goods, services or works and/or the sector.

2. At the time of writing, the council has instructed two tier one contractors: one who intended to procure solar panels from a third party on our behalf; and another who intended to procure ANPR equipment to seek alternative suppliers with more robust due diligence and greater transparency. This was after the Procurement & Commercial Service identified that both subcontractors' supply chains were associated with high forced labour risks. This demonstrates the effectiveness of the council's efforts to raise awareness of the importance of modern slavery due diligence through training and consultation workshops. The departments responsible for instructing the term contractors raised their concerns before each procurement was undertaken. Following these interventions, one key action to be taken (see Action Plan in Section 6.1, Indicator 7) is a detailed briefing with all term contractors on our modern slavery and exploitation due diligence expectations for companies procuring goods, services and works on our behalf.
3. Westminster City Council does, however, recognise that these efforts alone do not guarantee risk-free supply chains. If modern slavery or exploitation is reported or identified in our supply chain, the council's strategic objectives of 'Victims Support' and 'Exploiters Brought to Justice' would be applicable. The council commits to undertaking the following in each circumstance set out below:
  - If modern slavery were encountered within the workforce of direct contractors, and it was deemed that this crime was carried out knowingly or in the case that reasonable due diligence procedures were not being followed, P&CS would work with the Modern Slavery leads within the council to ensure that the victim(s)/survivor(s) were able to access support, the crimes were investigated, and every effort would be made to bring the exploiters to justice. Depending on the nature of the offence, this could involve interventions by the Metropolitan Police, National Crime Agency, Gangmaster & Labour Abuse Authority, internal fraud departments, Trading Standards, Department for Work & Pensions, HM Revenues & Customs, Adult Social Care, Family Services and/or specialist Non-Governmental Organisations (NGOs).
  - As set out in our standard terms and conditions, Westminster City Council reserves the right to terminate contracts for offences under Modern Slavery Legislation, including without limitation where the offence has been committed by the contractor, or its staff, agents or subcontractors. However, suppose the council identifies a contract or supply chain within which modern slavery is found to have taken place, despite contractor implementing reasonable due diligence procedures. In that case, the council is committed to working with our direct contractor and relevant sub-contractors to identify the specific nature of the offence(s) and set out a clear plan to resolve the issues that have allowed the offence(s) to take place. The council would seek advice from expert partner organisations on the appropriate course of action, with a central focus on protecting the interest of the victim(s)/survivor(s) that have been exploited.

## 6 Action Plan

### 6.1 ACTION PLAN: Westminster City Council Modern Slavery due diligence October 2022 – March 2023 \*‘New contracts’ = those tendered October 2022 onwards

Indicator	Timing	Action	Measure	Expressed as a proportion of:
1	Ongoing	Continue to <b>incorporate due diligence criteria</b> into the specifications or scope of works of high-risk category tenders	% new, high risk category contracts with MS&E due diligence requirements integrated	WCC spend on new contracts from ‘high risk’ categories
2		Continue to <b>assess the quality of Modern Slavery Statements</b> of organisations delivering contracts from ‘high risk’ categories using the guidance from the Home Office	% modern slavery statements assessed	a) new spend on high-risk contracts b) existing spend on high-risk contracts
3	October – December 2022	Work with Contract Managers to complete <b>high level risk assessment of existing contracts</b>	% contractors with high level risk assessment completed (P&CS & contract manager collaboration)	WCC annual spend on existing contracts from ‘high risk’ categories
4		Facilitate the <b>signing of the Supplier Charter</b> by contractors by a) incorporating the Charter into eProcurement Platform and b) using supplier relationship management to encourage voluntary signing by existing contractors	% suppliers signed up to Supplier Charter	WCC annual spend a) on contracts tendered after Supplier Charter introduction b) on existing contracts
5		<b>Engage with contractors</b> on modern slavery due diligence i.e., initiate cooperation with relevant points of contact on MS&E requirements/ asks within new/ existing contracts.	% high risk suppliers engaged with i.e., met with relevant point of contact at contractor organisation	WCC spend on suppliers engaged with a) as part of contract mobilisation b) through Supplier Relationships
6		<b>Initiate supplier-led, detailed, contract specific risk assessment</b> of supply chains providing products/ services/ works to WCC to identify risk hotspots and elements that require continuous improvement within action plan	% contracts in high-risk categories for which contractors have undertaken a detailed, contract-specific risk assessment	WCC spend a) on new contracts (as part of contractual requirements) b) on existing contracts (voluntarily)
7		<b>Deliver briefings to term contractors</b> who source goods, services and works on WCC’s behalf to inform them of the council’s MS&E due diligence expectations	% term contractors briefed on WCC’s new approach to MS&E due diligence	total spend through term contractors sourcing high risk goods on WCC’s behalf
8	January – March 2023	<b>A review of frameworks</b> on WCC’s register, starting with those used most recently, <b>to determine if existing MS&amp;E provisions are adequate. If they’re not, establish additional requirements</b> to be used in future e.g., within specifications	% frameworks reviewed for MS&E due diligence criteria, with additional requirements developed if not	spend on frameworks that have been used by WCC in the last 18 months
9		<b>Support development of action plans by contractors</b> i.e., translating results of risk assessments carried out into a clear, time-bound set of actions to mitigate these risks	% contracts with first action plan completed	contractors (by spend) with the commitment to develop an action plan a) As part of contractual requirements b) Voluntarily through SRM

10		<b>Regular monitoring of contractor MS&amp;E due diligence performance</b> to ensure continuous improvement, including independent, unannounced interviews with members of contractor workforce to assure pay and conditions	% contracts on track with action plan and/or no. contractor workforce interviewed	of contractors that have completed their first action plan a) As part of contractual requirements b) Voluntarily through SRM
----	--	------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-----------------------------------------------------------------------------------	------------------------------------------------------------------------------------------------------------------------------------

**6.2 Image: Flow chart of due diligence activity on new and existing contracts**

## Modern slavery & exploitation due diligence processes and associated performance measures

**NEW CONTRACTS**

**EXISTING CONTRACTS**

