

PFCC Decision Report

Report reference number: 043/2021

Classification: Not protectively marked

Title of report: National Collaboration Agreement in relation to the Modern Slavery and Organised Immigration Crime Programme 2020/21

Area of county / stakeholders affected:
Countywide / all force areas in England and Wales

Report by: Pippa Brent-Isherwood (Chief Executive and Monitoring Officer)

Date of report: 17 March 2021

Enquiries to: Pippa Brent-Isherwood (Chief Executive and Monitoring Officer)

1. Purpose of the report

The purpose of this report is to seek the PFCC's endorsement of the National Collaboration Agreement in relation to the Modern Slavery and Organised Immigration Crime Programme 2020/21 attached at Appendix 1.

2. Recommendations

That the PFCC signs the National Collaboration Agreement in relation to the Modern Slavery and Organised Immigration Crime Programme 2020/21 attached at Appendix 1.

3. Benefits of the proposal

The Modern Slavery and Organised Immigration Crime Programme is intended to improve the national police response to modern slavery by delivering a more coordinated, efficient approach which will support efforts to drive up prosecutions. It will also help to build new capability within the police improve the understanding of organised immigration crime and its links to modern slavery.

The purpose of the agreement attached at Appendix 1 is to provide a national team, funded by external funding, to deliver the responsibilities and strategic aims of the Modern Slavery and Organised Immigration Crime Programme, these being:

- To protect vulnerable people by driving and embedding an innovative, consistent and effective policing response to modern slavery and organised immigration crime;
- To continue to seek opportunities to improve the efficiency and effectiveness of one or more of the policing bodies or police forces in respect of the policing response to modern slavery and organised immigration crime, and
- Anything that could be considered incidental or ancillary to any of the aforementioned strategic aims.

The seven deliverables of the Modern Slavery and Organised Immigration Crime Programme are to:

- Implement the Police National Database (PND) direct data business change project to upload modern slavery operation data within the PND to improve the effectiveness of investigations and criminal justice outcomes;
- Continue to develop the modern slavery evidence base and to share best practice in order to improve safeguarding and criminal justice outcomes;
- Drive work through the Prosecutions Oversight Group to resolve barriers to effective prosecutions and criminal justice outcomes;
- Provide support to the National Crime Agency (NCA) National Targeting Centre to drive the delivery of a more efficient, effective and coordinated operational law enforcement response to modern slavery and human trafficking;
- Assist the Modern Slavery Unit at the Home Office with a range of projects aimed at improving the National Referral Mechanism (NRM) and to deliver training in relation to the NRM that is aimed at improving awareness of and identifications of victims;
- Improve understanding and provide specialist expertise to all relevant agencies of their safeguarding responsibilities for modern slavery, human trafficking and organised immigration crime, and
- Increase knowledge and understanding of organised immigration crime in local policing in order to generate a greater operational response to volume organised immigration crime and related issues that affect local communities. This is to include the provision of a pilot Organised Immigration Crime operational policing team in six pilot areas, including Essex, and explore the opportunities to improve the response to clandestine events.

The target outcomes of the programme are:

- Improved detection and investigation of modern slavery cases;
- An effective, coordinated multi-agency operational response, with better use of legislative tools to improve outcomes for victims;
- Increased modern slavery case referrals from police forces to the Crown Prosecution Service for defendants;
- Increased modern slavery prosecutions by overcoming barriers that prevent prosecution;
- Increased number of modern slavery investigations coordinated by the police and the National Crime Agency;
- Improved identification of victims to enable rapid safeguarding measures to reduce repeat victimisation;
- Improved understanding and identification of organised immigration crime cases by the police through the roll out of a training package, and

- Progress towards a sustained and cultural operational change in the policing response to organised immigration crime, by working in collaboration with law enforcement partners and building understanding and knowledge amongst frontline police officers.

The parties consider that the continuation of the Modern Slavery and Organised Immigration Crime Programme, via this collaboration agreement, would be in the interests of the efficiency and effectiveness of one or more policing bodies or police forces.

4. Background and proposal

The parties to the agreement attached at Appendix 1 previously entered into a collaboration agreement dated December 2019, pursuant to section 22A of the Police Act 1996. The PFCC approved this agreement on 23 January 2020, via decision 005/2020. Pursuant to this, the parties established a collaborative venture, then known as the Modern Slavery Police Transformation Programme and now known as the Modern Slavery and Organised Immigration Crime Programme, the aim of which was to provide support to police forces in England and Wales to improve their response to modern slavery through the establishment of Modern Slavery Teams. The parties now wish to enter into a further collaboration agreement pursuant to section 22A of the Police Act 1996 (as amended by the Police Reform and Social Responsibility Act 2011), containing provision relating to the discharge of functions of members of a police force (“force collaboration provision”).

The agreement attached at Appendix 1 was circulated for signature via the Association of Police and Crime Commissioners (APCC) on 5 March 2021. Although, by that time, the programme for this financial year had less than a month left to run, the actions of the programme will have implications beyond the end date of the funded programme. For this reason, it is still considered important that all parties sign the agreement.

If a Chief Officer or policing body wishes to withdraw from the agreement, they may do so by giving not less than 12 months’ written notice to expire on 31 March in the relevant financial year to the Strategic Assurance Board and to the Chief Officers and policing bodies of the other police services. If either a Chief Officer or policing body wishes to withdraw from the agreement, then their respective Chief Officer or policing body must also withdraw.

5. Alternative options considered and rejected

The PFCC could chose not to sign up to the agreement, however this would deny Essex the benefits detailed in section 3 above and would likely mean that Essex would no longer receive the financial contribution set out in section 8 below.

6. Police and Crime Plan

The proposal contributes to the priorities set out in the Police and Crime Plan to tackle gangs and serious violence; to disrupt and prevent organised crime, and to protect children and vulnerable people from harm. It particularly speaks to the commitments to support victims of human trafficking and modern slavery by working closely with the UK Border Agency (UKBA), National Crime Agency (NCA) and other national and regional partners to bring perpetrators to justice, as well as to respond to the needs of individuals

and local communities who are vulnerable to specific crime types, including human trafficking.

7. Police operational implications

As part of this agreement, the Chief Constable of Essex Police employs one Organised Immigration Crime Operational Officer at the rank of Sargeant and one Organised Immigration Crime Operations Development Specialist who is a member of police staff.

8. Financial implications

The total budget for the Modern Slavery and Organised Immigration Crime Programme for 2020/21 is £2.18m, which will cover all staffing and running costs, as set out at Annex 1 of Schedule 2 to the agreement. Within this, ERSOU will receive £120k to fund a Regional Coordinator and Essex, as a pilot force, will receive £49.6k to fund operational staff, as detailed above. Out of the grant provided by the Home Office, the Programme Team will also administer a fund of small grants to PCCs to enable them to undertake preventative work in relation to modern slavery and to collect evaluation data.

The budget is anticipated to be fully funded by the Home Office grant and, as such, financial contributions will only be required if a shortfall occurs between the actual expenditure and the grant received, and such expenditure was either in accordance with the budget or otherwise approved by the policing bodies.

The financial arrangements of the Modern Slavery and Organised Immigration Crime Programme shall be overseen by the Lead Policing Body and scrutinised by the Home Office (as the funding body), the policing bodies and any relevant external auditors. The Programme Manager manages the budget on behalf of the Lead Policing Body and assumes responsibility for ensuring compliance with funding conditions and for securing value for money in the use of the external funding. Financial compliance of the programme shall operate under the financial procedures of the Lead Policing Body.

9. Legal implications

This collaboration agreement is entered into pursuant to section 22A of the Police Act 1996 (as amended by the Police Reform and Social Responsibility Act 2011) and contains provision relating to the discharge of functions of members of a police force ("force collaboration provision"). It replaces any earlier collaboration agreements entered into in respect of the Modern Slavery Police Transformation Programme, including the original collaboration agreement dated December 2019.

The parties to the agreement agree to comply with the Policing Protocol Order 2011. As such, nothing in the agreement is to be construed as interfering with the operational independence of Chief Constables.

The Association of Policing and Crime Chief Executives (APACCE) Legal and Governance Sub-Group has been consulted on the proposed agreement. Its comments have been incorporated and it has not raised any concerns with PCCs / PFCCs approving the document.

10. Staffing implications

There are no staffing implications arising from this proposal for the PFCC.

11. Equality and Diversity implications

The equality and diversity implications of the proposal are set out throughout this report.

The Programme Board will monitor the ethical and equality standards within the Modern Slavery and Organised Immigration Crime Programme.

12. Risks

The grant agreement between the Lead Policing Body and the Home Office requires risk to be actively and proportionately managed throughout the funding period, including through the joint identification, management and mitigation of risks and issues, to be recorded in a joint risks and issues register.

13. Governance Boards

The Lead Policing Body for the programme is the Police and Crime Commissioner for Devon, Cornwall and the Isles of Scilly. The Lead Policing Body (or their designated representative) chairs a Strategic Assurance Board for the Modern Slavery and Organised Immigration Crime Programme which meets quarterly. The Terms of Reference for the Strategic Assurance Board are set out at Schedule 3 to the agreement. Agendas and minutes will be distributed to all policing bodies and policing bodies may attend meetings if they wish.

The Lead Chief Officer for the Modern Slavery and Organised Immigration Crime Programme (or their designated representative) chairs its Programme Board, which meets bi-monthly. The Terms of Reference for the Programme Board are likewise set out at Schedule 3 to the agreement.

14. Background papers

Appendix 1 - National Collaboration Agreement in relation to the Modern Slavery and Organised Immigration Crime Programme 2020/21

Background paper – Decision report 005/2020 – S22a Modern Slavery Agreement (extension)

Report Approval

The report will be signed off by the PFCC Chief Executive and Chief Finance Officer prior to review and sign off by the PFCC / DPFCC.

Chief Executive / M.O.

Sign: 

Print: P. Brent-Isherwood

Date: 18 March 2021

Chief Finance Officer / Treasurer

Sign: 

Print: Julia Berry

Date: 18 March 2021

Publication

Is the report for publication?

YES

NO

If 'NO', please give reasons for non-publication (Where relevant, cite the security classification of the document(s). State 'None' if applicable)

Although please note that the appendix is operationally sensitive, and so not for publication

If the report is not for publication, the Chief Executive will decide if and how the public can be informed of the decision.

Redaction

If the report is for publication, is redaction required:

1. Of Decision Sheet? YES
NO

2. Of Appendix? YES
NO

If 'YES', please provide details of required redaction:

The appendix is operationally sensitive, and so not for publication

Date redaction carried out: 18 March 2021

Treasurer / Chief Executive Sign Off – for Redactions only

If redaction is required, the Treasurer or Chief Executive is to sign off that redaction has been completed.

Sign: 

Print: Julia Berry

Chief Executive/Treasurer

Decision and Final Sign Off

I agree the recommendations to this report:

Sign: 

Print: Roger Hirst

PFCC

Date signed: 23 March 2021

I do not agree the recommendations to this report because:

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Sign:

Print:

PFCC/Deputy PFCC

Date signed: