

## PFCC Decision Report

**Report reference number:** 060-22

**Classification:** Not protectively marked

**Title of report:**

National Collaboration Agreement in relation to the Modern Slavery and Immigration Crime Programme 2021-22

**Area of county / stakeholders affected:** Countywide

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

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

**Date of report:** 21 April 2022

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

### 1. Executive Summary

The report recommends that the Police, Fire and Crime Commissioner for Essex enters into the National Collaboration Agreement in relation to the Modern Slavery and Immigration Crime Programme 2021-22 attached at Appendix 1.

### 2. Recommendations

That the Police, Fire and Crime Commissioner (PFCC) for Essex enters into the National Collaboration Agreement in relation to the Modern Slavery and Immigration Crime Programme 2021-22 attached at Appendix 1.

Whilst no direct financial contribution is anticipated from the PFCC in consequence of entering into the agreement, Essex Police does commit a Sergeant post to this area of work as its resource contribution to the programme.

### **3. Background to the Proposal**

The parties originally entered into a collaboration agreement dated December 2019 which established a collaborative venture known as the Modern Slavery Police Transformation Programme (now the Modern Slavery and Organised Immigration Crime Programme). Subsequent to this, the parties entered into a further collaboration agreement dated April 2021 confirming the extension of the programme from 1 April 2020 to 31 March 2021. The parties to the agreement now wish to confirm the extension of the programme for the period 1 April 2021 to 31 March 2022 and accordingly 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). Although the period for the agreement ended on 31 March 2022, the actions of the programme will have implications beyond this date. For this reason, all parties are still being asked to sign the agreement.

### **4. Proposal and Associated Benefits**

The aim of the Modern Slavery and Organised Immigration Crime Programme is to support police forces in England and Wales to improve their response to these crime types. The purpose of the national collaboration agreement attached at Appendix 1 is to provide a central team, nationally funded by the Home Office, to deliver the responsibilities and strategic aims of the programme, which are:

- 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 elected local policing bodies or police forces in respect of the policing response to modern slavery and organised immigration crime, and
- Anything which could be considered incidental or ancillary to any of the aforementioned strategic aims.

Under the terms of the agreement, the elected local policing bodies that sign up to it are responsible for:

- The governance of the Modern Slavery and Organised Immigration Crime Programme;
- Approving the associated strategy;
- Holding the relevant Chief Constable to account for the discharge of associated functions;
- Monitoring, from a governance perspective, the effectiveness and efficiency of the Modern Slavery and Organised Immigration Crime Programme and considering ways in which the functions of the programme could be exercised to improve effectiveness and efficiency;
- Approving the budget for the programme (including any financial reserves), the carrying forward of any eligible under spend at each year-end, any over-spend identified at any time, any changes to the apportionment ratios, any virements of £100,000 or more proposed by the Strategic Assurance Board, and the purchase or lease of any facilities, equipment, fleet or premises with a value exceeding £20,000 or not specifically identified in the budget;

- Resolving, where applicable, any disputes which may arise in accordance with Clause 29 of the agreement;
- Approving any proposals for any significant alteration to the numbers of staff, structure of staffing or the terms and conditions of staff of the Modern Slavery and Organised Immigration Crime Unit;
- Periodically reviewing the collaboration and associated agreement, and
- Determining the frequency of the submission of reports by the Strategic Assurance Board, the Programme Board, the Lead Policing Body, the Lead Chief Officer and / or the Head of Unit in accordance with the agreement.

The parties consider that the continuation of the Modern Slavery and Organised Immigration Crime Programme would be in the interests of the efficiency and / or effectiveness of one or more policing bodies or police forces and therefore wish to exercise their collaboration functions so as to give effect to the agreement attached at Appendix 1.

## 5. Options Analysis

The PFCC could chose not to sign up to the agreement attached at Appendix 1. However, as the Chief Constable has confirmed that Essex is a net beneficiary of it (please see section 6 below), this option is not recommended.

## 6. Consultation and Engagement

The PFCC and the Chief Constable discussed this matter at their formal Performance Meeting on 12 April 2022. The Chief Constable confirmed that the agreement formalises the arrangements that are in place and that Essex Police is a net beneficiary of these.

## 7. Strategic Links

The proposal contributes to delivering the following priorities and commitments within the Police and Crime Plan:

Priority	Commitment
Protecting vulnerable people and breaking the cycle of domestic abuse	Support victims of human trafficking and modern slavery, including sexual exploitation, and continue to promote close working with the UK Border Agency, National Crime Agency, and national and regional partners to support victims and bring perpetrators to justice.
Reducing business crime, fraud and cyber crime	Alongside the business community, support initiatives to tackle other forms of crime that affect businesses and their staff such as human trafficking, hate crime and domestic abuse.

## **8. Police operational implications**

Essex, alongside Kent, Sussex, Hampshire, Thames Valley, Bedfordshire, Devon and Cornwall and Dorset, is a pilot area for the programme.

Under the terms of the agreement, the Chief Constables who sign up to it are responsible for:

- Advising the Elected Local Policing Bodies on the operational considerations to be accommodated in the Strategy for the Modern Slavery and Organised Immigration Crime Programme;
- Approving the Delivery Plan;
- Monitoring, from an operational perspective, the effectiveness and efficiency of the Modern Slavery and Organised Immigration Crime Programme and considering ways in which the functions of the Modern Slavery and Organised Immigration Crime Programme could be exercised to improve effectiveness and efficiency;
- Resolving, where applicable, any disputes which may arise from an operational perspective in accordance with Clause 29 of the agreement;
- Monitoring compliance with legislative requirements and applicable national standards;
- Monitoring the ethical and equality standards of the Modern Slavery and Organised Immigration Crime Unit;
- Reviewing the collaboration agreement from an operational perspective and proposing any amendments to the terms of the agreement for approval by the parties to it;
- Proposing or recommending to the Elected Local Policing Bodies any significant alterations to the staffing of the Modern Slavery and Organised Immigration Crime Unit;
- Reviewing the direction and control of officers within the Modern Slavery and Organised Immigration Crime Unit, and
- Determining the frequency of the submission of reports by the Strategic Assurance Board, the Programme Board, the Lead Chief Officer and / or the Head of Unit to the Chief Officers in accordance with the agreement.

By signing up to the agreement, the Chief Constable confirms that he will continue to provide the officers, staff, equipment and support necessary to give effect to it. As part of its resource contribution (which does not form part of the centrally funded team), Essex Police provides one Organised Immigration Crime Operational Policing Team Officer (OPT) at the rank of Sergeant, to fulfil the role profile set out at Annex 1 to Schedule 5 of the agreement. The force is responsible for recruiting and employing this officer and for replacing them, should they leave that role, with a like-for-like replacement who is capable of and suitably experienced to undertake that role. The officer remains under the direction and control of the Chief Constable of Essex Police.

## **9. Financial implications**

The total budget for the Modern Slavery and Organised Immigration Crime Programme for 2021/22 (including all staffing and running costs of the central team)

was £2,616,250. The detailed budget is set out at Annex 1 to Schedule 1 of the attached agreement. The budget for the programme is anticipated to be fully funded by the Home Office grant and, as such, it is not anticipated that any financial contributions will be required from the PFCC as a result of entering into this agreement. 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 elected local policing bodies in accordance with Clause 3.2.5.3 of the agreement.

The parties to the agreement acknowledge that the funding conditions for the grant prohibit duplicate funding.

## **10. Legal implications**

This agreement is entered into pursuant to section 22A of the Police Act 1996 (as amended by the Police Reform and Social Responsibility Act 2011).

The agreement attached at Appendix 1 replaces any earlier collaboration agreements entered into in respect of the Modern Slavery and Organised Immigration Crime Programme and governs the parties' continued collaboration in relation to it.

For the agreement to be binding on the Essex Police force, it must be signed by both the Chief Constable and the PFCC (or their respective authorised delegates). If a Chief Constable or a policing body wishes to withdraw from the agreement, then their respective Chief Constable or Policing Body shall also withdraw from the agreement. If a Chief Constable and Policing Body agree to withdraw from the agreement, they may do so by the Policing Body giving not less than 12 months' notice to expire on 31 March in the relevant financial year to the Strategic Assurance Board and to the Chief Constables and the Policing Bodies of the other police forces.

Nothing in the agreement is to be construed as interfering with the operational independence of Chief Constables.

## **11. Staffing implications**

There are no staffing implications arising for the PFCC as a result of this decision report.

## **12. Equality, Diversity and Inclusion implications**

As set out in section 8 above, under the terms of the agreement, the Chief Constables who sign up to it are responsible for monitoring the ethical and equality standards of the Modern Slavery and Organised Immigration Crime Unit.

## **13. Risks and Mitigations**

Parties to the agreement acknowledge that, as the Modern Slavery and Organised Immigration Crime Programme is not a legal entity in its own right, liability cannot attach to it. The parties therefore agree that any loss, claim, cost, liability or expense suffered or incurred by any party as a result of the programme and the associated

collaboration agreement will be shared between them in accordance with the apportionment ratios used by the National Police Chiefs Council (NPCC). Essex's share of this is 2.2%.

The Strategic Assurance Board will facilitate a regular review of high risk matters and, where appropriate, escalate these to policing bodies and Chief Constables. The ownership and mitigation of these risks will remain under the control of the Lead Policing Body (currently the PCC for Devon and Cornwall) and / or the Lead Chief Constable (currently the Chief Constable of Devon and Cornwall Police), as appropriate.

Each party to the agreement is required to notify its current or prospective insurers of the existence of the Modern Slavery and Organised Immigration Crime Programme and provide sufficient disclosure to allow for an appropriate insurance policy to be obtained or amended.

#### **14. Governance Boards**

There is a Strategic Assurance Board for the Modern Slavery and Organised Immigration Crime Programme, chaired by the Lead Policing Body or their designated representative, which meets quarterly. The Terms of Reference of this Board are set out in Schedule 3 to the agreement. Any policing body or Chief Constable who wishes to attend the Strategic Assurance Board may do so. The minutes of meetings will be circulated to all policing bodies and Chief Constables, and all parties to the agreement may receive a full set of papers on request.

There is also a Programme Board for the Modern Slavery and Organised Immigration Crime Programme chaired by the Lead Chief Constable or their designated representative. The Terms of Reference of the Programme Board are also set out in Schedule 3 to the agreement.

#### **15. Links to Future Plans**

It is anticipated that a further national collaboration agreement will be entered into in relation to the Modern Slavery and Organised Immigration Crime Programme 2022-23.

#### **16. Background Papers and Appendices**

Appendix 1 - National Collaboration Agreement in relation to the Modern Slavery and Immigration Crime Programme 2021-22

**Report Approval**

The report will be signed off by the PFCC's 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: 22 April 2022

Chief Finance Officer Sign: 

Print: Janet Perry

Date: 25 April 2022

**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)

However the collaboration agreement attached at Appendix 1 is not to be published, as to do so could undermine operational tactics.

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 collaboration agreement attached at Appendix 1 is not to be published, as to do so could undermine operational tactics

Date redaction carried out: .....

**Chief Finance Officer / 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.

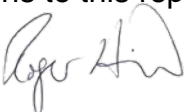
Sign: .....

Print: .....

**Chief Executive / Chief Finance Officer**

**Decision and Final Sign Off**

I agree the recommendations to this report:

Sign: 

Print: Roger Hirst

**PFCC**

**Date signed: 9 May 2022**

I do not agree the recommendations to this report because:

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.....  
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Sign:

Print:

**PFCC/Deputy PFCC**

**Date signed:**