

Background

Slavery is often viewed as an issue which is not relevant to 21st century Scotland.

However, the Scottish Government revealed that in 2020 alone [387 potential victims](#) of human trafficking were identified in relation to Scotland.

[The Human Trafficking & Exploitation \(Scotland\) Act 2015](#) ("the Act") clarified, strengthened and brought together existing laws on human trafficking.

The Act includes an offence of human trafficking (which relates to a person taking a certain action, including the recruitment, transportation or harbouring another person, with a view to another person being exploited) and an offence relating to slavery, servitude and forced or compulsory labour. A person can be found guilty of such offence if:

(i) the **person holds another person in slavery or servitude** and the circumstances are such that the person knows or ought to know that the other person is held in slavery or servitude; or

(ii) the **person requires another person to perform forced or compulsory labour** and the circumstances are such that the person knows or ought to know that the other person is being required to perform such labour.

SDS is leading the way in the Scottish public sector, in proactively taking measures to minimise the risk of modern slavery in our supply chains.

The Procurement Department

The measures the Procurement Department take to minimise the risk of Modern Slavery in our supply chains:

1. Single Procurement Document:

- All prime contractors with SDS must complete a Single Procurement Document (SPD)
- The SPD includes a selection question on "*child labour and other forms of trafficking in human beings*" to gain assurances that these crimes are not present in the contractor's business.
- If the suppliers are relying on a sub-contractor to meet the SPD requirements, then the sub-contractor is also required to complete an SPD.

2. Terms:

- Our standard and framework terms include a clause which imposes additional obligations on suppliers in connection with Modern Slavery.
- Our standard and framework terms allow us to conduct on-site audits which could be carried out if there was a report of an instance of modern slavery.

3. Fair Work First (FWF):

- Fair work is work that offers all individuals an effective voice, opportunity, security, fulfilment and respect.
- When evaluating tenders, the Procurement Department will require FWF assurances before awarding a contract.
- Modern Slavery is entirely contradictory to FWF Principles.
- You can find out more about FWF [here](#).

4. Ethical Sourcing:

- Encourage ethical sourcing amongst our suppliers.
- This will aid in the prevention of public funds inadvertently funding criminal acts.

With the above, the Procurement Department has a series of tools they utilise to prevent occurrences of modern slavery in our supply chains.

These techniques cannot guarantee that there will never be an instance of modern slavery in our supply chains. However, they can significantly minimise the risk, especially when they are undertaken in conjunction with the vigilance of all staff.

Responsibilities for all staff

As shown, the Procurement Department has various methods it employs to minimise the risk of modern slavery in our supply chains. However, to effectively mitigate this risk, the vigilance of all employees is required. The following section outlines the responsibilities expected of all SDS employees.

Warning Signs

The following are possible indications that an instance of modern slavery could be present:

- Breaches in or lack of contract.
- Non-payment of wages or illegal deductions.
- Payment below minimum wage.
- Purposeful isolation at work.
- Psychological harm.
- Fear.
- Confinement to the workplace.

This list is by no means exhaustive, but it is important that all SDS staff remain vigilant to these warning signs in dealings with our suppliers and providers. SDS is a trusted advocate of FWF principles. Therefore, we must act proactively to ensure a safe, respectful and fulfilling workplace for all Scotland's workers.

Contract Managers are instructed to be particularly mindful of these modern slavery indicators. These individuals are the "eyes on the ground" for SDS. They regularly interact with our suppliers and contractors and are expected to actively remain vigilant to the risk of modern slavery.

Any and all concerns related to possible instances of modern slavery in our supply chains should be immediately reported to the Procurement department (procurement@sds.co.uk).

Relevance to SDS and Accountability

As Scotland's national skills agency, SDS strives to ensure FWF and opportunities to succeed for all. As well as being contradictory to our core principles, any discovery of modern slavery in our supply chains would risk immense reputational damage.

The [SDS Code of Conduct](#) mandates that all colleagues have a specific responsibility to comply with all legal requirements and regulations relevant to the area in which they work. Therefore, any failure to report an instance of modern slavery in our supply chains could be viewed as a breach of the Code of Conduct and may be viewed as misconduct.

Further Information

[Human Trafficking and Exploitation \(Scotland\) Act 2015](#)
(legislation.gov.uk)

[Modern Slavery Act 2015](#) – This act covers England and Wales, but some parts do apply in Scotland and Northern Ireland.

[International Labour Organisation](#)

[SDS Modern Slavery Statement](#)

[SDS Prevention of Modern Slavery in Procurement Policy](#)
[UN Sustainable Development Goal 8](#)

If you require any further information or you have any queries, please contact the Procurement Department at Procurement@sds.co.uk.