

Committee(s):	Date(s):
Risk Committee of the Barbican Centre Board Barbican Centre Board	28 June 2017 12 July 2017
Subject: Modern Slavery Policy – Barbican Centre	Public
Report of: Louise Jeffreys, Director of Arts Report Author: Nick Adams, Senior Communications Manager	For Decision
Summary	
<p>In 2015 Parliament passed The Modern Slavery Act, a piece of legislation setting out a range of measures on how modern slavery and human trafficking is dealt with in the UK, including trafficking of people, forced labour, servitude and slavery.</p> <p>This paper asks the Risk Committee to take a decision on whether the Barbican should develop an annual Modern Slavery statement in response to this legislation.</p> <p>A link to the Modern Slavery Act is included as an Appendix.</p> <p>Recommendation: Members are asked to consider whether the Barbican should develop an annual Modern Slavery statement.</p>	

Main Report

Background

1. In 2015 Parliament passed [The Modern Slavery Act](#), a piece of legislation setting out a range of measures on how modern slavery and human trafficking is dealt with in the UK, including trafficking of people, forced labour, servitude and slavery.
2. One area the act covers is transparency in supply chains, which makes the following provision:

'The Act requires that any commercial organisation in any sector, which supplies goods or services, and carries on a business or part of a business in the UK, and is above a specified total turnover, must produce a slavery and human trafficking statement for each financial year of the organisation.

Regulations have set the total turnover threshold at £36m. The statement must set out what steps they have taken during the financial year to ensure that modern slavery is not occurring in their supply chains and in their own organisation.'
3. Regarding the turnover threshold of £36m mentioned above, the Barbican's income/expenditure in the past three years is as follows:

- 15/16 - Income - £41.6m (of which earned income £23.3m) / Expenditure - £40.9m
- 14/15 – Income - £37.7m (of which earned income £20.8m) / Expenditure - £37.6m
- 13/14 – Income - £33.5m (of which earned income £15.9m) / Expenditure - £33.8m

Current Position

4. Currently the Barbican does not write or publish an annual Modern Slavery statement.
5. The Barbican has recently been in touch with the City of London Corporation’s solicitors asking for guidance on this. The solicitors had previously researched whether the City of London Corporation met the definition of a ‘commercial organisation’ and would therefore be required to meet this legislation and regarded the crucial point to be whether the City is carrying on a business, or part of a business. They concluded that the City of London Corporation was not carrying on a business or a commercial organisation and was therefore not required to prepare a slavery and human trafficking statement under s54 of the 2015 Act.
6. The Barbican also contacted the Arts Council to seek their advice. The Arts Council had also previously looked into whether they were subject to the Act but had also been advised that the Arts Council would not be regarded as a commercial organisation and therefore would not be subject to the act.
7. Alongside this advice the Barbican has undertaken research to look into how other large-scale arts organisations have responded to the Act. This research has shown that organisations including English National Opera, National Theatre, the Royal Opera House and the British Council have all published modern slavery statements in the past year in line with the responsibilities set out in the Act:
 - [English National Opera statement](#)
 - [National Theatre statement](#)
 - [Royal Opera House statement](#)
 - [British Council statement](#)

Options

8. Following the advice and research received, the Barbican Board Risk Committee is asked to make a decision about how the Barbican should approach its response to this Act.
9. The option recommended to us by the City Solicitors is that the Barbican, as a department of the City of London Corporation, is not a commercial organisation and is therefore not required to publish an annual modern slavery statement.

Proposals

10. The Barbican is not making any specific recommendation on which policy approach to adopt.

Corporate & Strategic Implications

11. If the decision is made to publish a Modern Slavery statement the Barbican would write an annual statement which would be published on the organisation's website. The Barbican would also need to review its current policies and procedures, in particular reviewing current HR practices, contracts with current suppliers and future wording of contracts. This would need to be done in collaboration with the City of London Corporation's HR and procurement departments.
12. If we decide not to adopt an annual statement the organisation would continue to operate as it currently does. There is a potential level of reputational risk if the Barbican is compared unfavourably to other large arts organisations who have published a modern slavery statement.

Implications

13. If adopted, the level of impact would depend on the eventual wording of the statement and the policies adopted. Potential implications include reviewing HR practices to ensure we have appropriate measures in place to safeguard employees from any abuse or coercion once in our employment and changing the wording of contracts to commit suppliers to meeting their responsibilities in this area.
14. The City Solicitors department has been consulted with the advice given summarised in the Current Position section of the paper.

Conclusion

15. In 2015 Parliament passed The Modern Slavery Act, a piece of legislation setting out a range of measures on how modern slavery and human trafficking is dealt with in the UK, including trafficking of people, forced labour, servitude and slavery.
16. This Act requires organisations with a turnover above £36m to publish an annual statement setting out steps they have taken to tackle modern slavery.
17. Legal advice received suggests the Barbican may not be classified as a commercial organisation, however a number of arts organisations of similar scale have published a modern slavery statement.
18. Following the advice and research received, the Barbican Board Risk Committee is asked to make a decision about how the Barbican should approach its response to this Act.

Appendices

Appendix 1 - [Link to Modern Slavery Act 2015](#)

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