



# Modern Day Slavery Act 2015 – the Trust’s response

## APPENDIX B





## **Trust response to the requirements of the Modern Slavery Act 2015**

*An Act to make provision about slavery, servitude and forced or compulsory labour and about human trafficking; including provision for the protection of victims; to make provision for an Independent Anti-Slavery Commissioner; and for connected purposes.*

### **Definition of Offences**

#### **Slavery, servitude and forced or compulsory labour.**

A person commits an 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 forced or compulsory labour.

#### **Human Trafficking.**

A person commits an offence if;

- i. The person arranges or facilitates the travel of another person (victim) with a view to being exploited.
- ii. It is irrelevant whether the victim consents to travel and whether or not the victim is an adult or a child.

#### **Exploitation.**

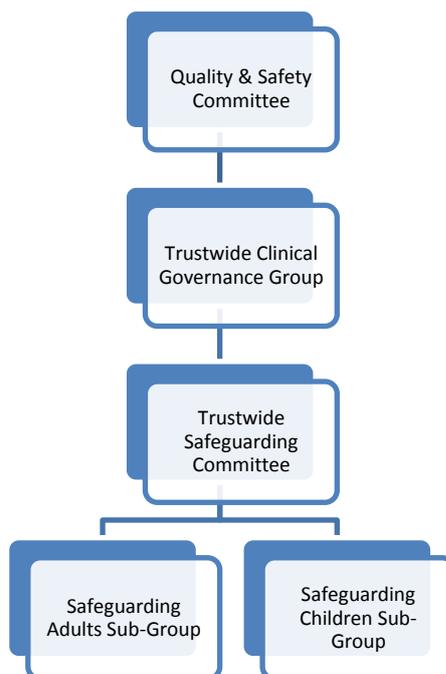
A person is exploited if one or more of the following issues are identified in relation to the victim;

- I. Slavery, servitude, forced or compulsory labour.
- II. Sexual exploitation
- III. Removal of organs
- IV. Securing services by force, threats and deception
- V. Securing services from children, young people and vulnerable persons.

### **The Organisational Structure, Business and Supply Chain**

The diagram below describes the organisational governance structure within the Trust that supports the delivery of the safeguarding adult and children agenda.





## **Business**

The Trust (Cumbria Partnership NHS Foundation Trust) is committed to ensuring that there is no modern slavery or human trafficking in our supply chains or in any part of our business. The following information within this statement sets out the actions being taken within the Trust.

The response to human trafficking and modern slavery is coordinated under the safeguarding process with the police acting as the lead agency. Trust staff are directed to the safeguarding team or to the appropriate Home Office website for further information.

Specific Information in relation to human trafficking and modern slavery is due to be included in the Trust's Safeguarding Policy. This is currently under review and is scheduled to be completed by the end of July 2016.

The Trust is committed to social and environmental responsibility and has zero tolerance for modern slavery and human trafficking. Any identified concerns regarding modern slavery and human trafficking would be escalated as part of the organisational safeguarding process and in conjunction with partner agencies; such as the Local Authority and Police.

Reference is currently made to slavery and human trafficking within the Trust's mandatory Safeguarding training programme; levels one to three. It is intended to further strengthen this learning by the delivery of specific training around modern slavery and human trafficking for key Trust staff during 2016 – 2017.

The Trust adheres to the National NHS Employment Checks / Standards. This includes verification of employees UK address, right to work in the UK and suitable references. We also have in place systems to encourage the reporting of concerns





and the protection of whistle blowers. Further information is available within the Trust's Raising Concerns policy.

### **Supply Chain**

There are currently no specific obligations placed on public sector procurers under the Act. However, there is an expectation that procurers seek some confirmation that suppliers are complying with their obligations, as applicable. The Department of Health is currently looking to reflect new requirements under the Modern Slavery Act in the next update of the NHS terms and conditions, which should be published in spring 2016.

Action is being taken within the Trust in advance of the updated NHS terms and conditions including the updating of the Trust's Procurement Policy to include a commitment to the Trust's obligations under the Act and the action it intends to take in its procurement process. Where possible the Trust aims to build long standing relationships with our suppliers. As part of our arrangements, a Supplier Code of Conduct will be introduced from May 2016 which sets out the obligation that suppliers to the Trust will comply with the Act and ensure that their suppliers and sub-contractors also act in accordance with the obligations. With regards to national or international supply chains, we expect these entities to have suitable anti-slavery and human trafficking policies and processes.

The Trust's Procurement department will also Identify and prioritise high risk areas in the supply chain utilising guidance and resources as available, especially the Chartered Institute of Purchasing and Supply (CIPS). A link to this guidance can be found as follows:

<https://www.cips.org/Documents/Knowledge/Procurement-Topics-and-Skills/4-Sustainability-CSR-Ethics/Sustainable-and-Ethical-Procurement/Modern-Day-Slavery.pdf>





# Modern Slavery Act 2015

The Modern Slavery Act came into Force in 2015. This insight gives an overview of the Act; focusing on the impact on Supply Chains and the role of Procurement and actions required to support the organisation.



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## **Conclusion**

Arrangements are in place in order to ensure the effectiveness of the Trust's actions. The Trust aims to be as effective as possible in ensuring that modern slavery and human trafficking is not taking place in any part of its business or supply chains. This will be achieved through: -

- i. The audit of all safeguarding referrals;
- ii. NHS employment checks and payroll systems (i.e. people bought into the country illegally will not have a National Insurance number);
- iii. Level of communication with next link in the supply chain and their understanding of, and compliance with, our expectations in relation to the NHS terms and conditions. These conditions relate to issues such as bribery, slavery and other ethical considerations.

This statement is made pursuant to Section 54(1) of the Modern Slavery Act 2015 and constitutes Cumbria Partnership NHS Foundation Trust's modern slavery and human trafficking statement for the current financial year (2016/17).



## Modern Day Slavery Act – Trust Statement



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