

PE07 - Anti-Slavery and Human Trafficking Policy and Procedure

Category: Human Resources Sub-category: Equality & Disability







Policy Review Sheet

Review Date: 21/06/17 Policy Last Amended: 06/07/16

Next planned review in 12 months, or sooner as required.

Note: The full policy change history is available in your online management system.

Business Impact:	Low	Medium	High	Critical
		X		
Changes are important, but urgent implementation is not required, incorporate into your existing workflow.				

 Reason for this review:	New Policy
 Were changes made?	Yes
 Summary:	<p>New policy to recognise the introduction of the Modern Slavery Act 2015 and the important issue of slavery and human trafficking.</p> <p>It includes the requirement for businesses with a turnover of more than £36m (group turnover or individual company turnover) to produce an annual statement regarding its policy over modern slavery.</p>
 Relevant Legislation:	<ul style="list-style-type: none"> • The Modern Slavery Act 2015 • The Health and Social Care Act 2008 (Regulated Activities) (Amendment) Regulations 2015 • Human Rights Act 1998
 Underpinning Knowledge - What have we used to ensure that the policy is current:	<ul style="list-style-type: none"> • HM Government, (2017), <i>Modern Slavery Act 2015</i>. [Online] Available from: http://www.legislation.gov.uk/ukpga/2015/30/contents/enacted [Accessed: 20/06/2017] • HM Government, (2017), <i>Transparency in supply chains: a practical guide</i>. [Online] Available from: https://www.gov.uk/government/publications/transparency-in-supply-chains-a-practical-guide [Accessed: 20/06/2017] • Home Office, (2017), <i>Victims of modern slavery - frontline staff guidance</i>. [Online] Available from: http://www.antislaverycommissioner.co.uk/media/1057/victims-of-modern-slavery-frontline-staff-guidance-v3.pdf [Accessed: 20/06/2017] • Social Care Institute for Excellence, (2017), <i>At a glance 69: Adult safeguarding: Types and indicators of abuse</i>. [Online] Available from: http://www.scie.org.uk/publications/ataglance/69-adults-safeguarding-types-and-indicators-of-abuse.asp [Accessed: 20/06/2017]
 Suggested action:	<ul style="list-style-type: none"> • Notify all staff of changes to policy • Share Key Facts with professionals involved in the service • Discuss in team meetings

PE07 - Anti-Slavery and Human Trafficking Policy and Procedure

This page is deliberately left blank

PE07 - Anti-Slavery and Human Trafficking Policy and Procedure

1. Purpose

1.1 To ensure that Spiral Health is aware of the issues surrounding slavery and human trafficking and has a policy and process in place to identify, and if applicable report on, issues surrounding slavery and human trafficking.

1.2 To support Spiral Health in meeting the following Key Lines of Enquiry:

Key Question	Key Line of Enquiry (KLOE)
WELL-LED	W2: Does the governance framework ensure that responsibilities are clear and that quality performance, risks and regulatory requirements are understood and managed?

1.3 To meet the legal requirements of the regulated activities that Spiral Health is registered to provide:

- The Modern Slavery Act 2015
- The Health and Social Care Act 2008 (Regulated Activities) (Amendment) Regulations 2015
- Human Rights Act 1998



2. Scope

2.1 The following roles may be affected by this policy:

- All staff
- Registered Manager
- Owner, Proprietor or Responsible Individual



3. Objectives

3.1 To promote awareness of concerns surrounding slavery and human trafficking.

3.2 To publicly state Spiral Health's commitment to addressing slavery and human trafficking in all its forms.

3.3 To define Spiral Health's response to any incidence of slavery or human trafficking.

3.4 If applicable to publish an annual statement on slavery and human trafficking.

PE07 - Anti-Slavery and Human Trafficking Policy and Procedure



4. Policy

4.1 In essence, compliance is necessary from 29th October 2015. However, if Spiral Health's year end falls between 29th March 2015 and 30th March 2016, Spiral Health will not be required to publish a statement for the 2015/2016 financial year.

4.2 Guidance suggests that statements should be published within six months of the financial year end. Therefore, those with a financial year end of 31st March 2016 will be the first required to publish a statement by 30th September 2016.

4.3 It is unlikely that Spiral Health will experience cases of slavery or human trafficking, but this policy details the commitment to raise awareness and defines a process to address issues if they do arise.

4.4 The Modern Slavery Act 2015 states that every organisation providing goods and services in the UK with a total global annual turnover of £36m or more will be required to produce a slavery and human trafficking statement for each financial year.

4.5 This figure of £36 million is the total turnover of the organisation or its group not the individual location. As such the publication of an annual statement (if applicable) will primarily be the responsibility of the senior management of the organisation, but individual services will contribute to the content of the statement and have an awareness of the issues of slavery and human trafficking.

4.6 All staff will be made aware of the issues surrounding slavery and human trafficking and encouraged and supported to report any concerns to the management of Spiral Health.

4.7 Spiral Health will ensure that staff are only employed whose credentials can be confirmed.

4.8 Spiral Health will be open and transparent with all staff and encourage discussion about slavery and human trafficking. The service will also support any staff that may be subject to slavery or human trafficking.

4.9 Slavery and human trafficking is classed as abuse and indicators could be:

- Signs of physical or emotional abuse
- Appearing to be malnourished, unkempt or withdrawn
- Isolation from the community, seeming under the control or influence of others
- Living in dirty, cramped or overcrowded accommodation and/or living and working at the same address
- Lack of personal effects or identification documents
- Always wearing the same clothes
- Avoidance of eye contact, appearing frightened or hesitant to talk to strangers
- Fear of law enforcers

4.10 In situations of slavery or human trafficking being identified, Spiral Health will share this information with the appropriate authorities with the objective of preventing future situations arising, and to promote the elimination of routes and sources of slavery or human trafficking.

PE07 - Anti-Slavery and Human Trafficking Policy and Procedure

5. Procedure

5.1 If Spiral Health has a turnover of more than £36m then the annual statement will be published and will include detail on:

- Its structure, business and supply chains
- Its policies in relation to slavery and human trafficking
- Its due diligence processes in relation to slavery and human trafficking in its business and supply chains
- The parts of its business and supply chains where there is a risk of slavery and human trafficking taking place, and the steps that it has taken to assess and manage that risk
- Its effectiveness in ensuring that slavery and human trafficking is not taking place in its business or supply chains, measured against such performance indicators as it considers appropriate
- The training about slavery and human trafficking available to its staff

5.2 The statement should be:

- Written in simple language
- Succinct, but cover all relevant points and link to relevant documents
- In English, but may be provided in other languages that are relevant to the supply chain
- The statement must include either a statement: of the steps Spiral Health has taken during the financial year to ensure that slavery and human trafficking is not taking place in any of its supply chains and in any of its own business, or that Spiral Health has taken no such steps

5.3 The statement needs to be published and any director signing the statement needs to be satisfied that the statement is true. This might include carrying out full investigations.

5.4 Charities and educational institutions are captured by the obligation. If the turnover is £36 million, goods or services are supplied, and it carries on business within the UK, it is irrelevant the purpose for which its profits are made. Both franchisors and franchisees may be captured if they meet the turnover thresholds.

5.5 The statement should be published on Spiral Health's website and, where appropriate, linked through to any other relevant websites of Spiral Health.

5.6 It must be obvious on the home page or clearly accessible by a drop down menu.

5.7 If a parent company meets the requirements, it must include in its statement the steps taken in relation to each of its subsidiaries if they form part of the parent's supply chain or business (even if the subsidiaries themselves do not meet all the requirements).

5.8 A subsidiary organisation that meets the thresholds in its own right must produce its own slavery and human trafficking statement. However, a parent company may produce one statement that the subsidiaries also use.

5.9 All staff engaged with providing services at Spiral Health will be subject to thorough and rigorous recruitment procedures that will include a DBS check, identity check, confirmation of validity to work in the UK, employment history, suitability for the role and references. This should minimise the chance of employing a person that has been / is subject to slavery or human trafficking.

5.10 Spiral Health will only use staff provided by third party organisations (such as agencies) that are registered with the regulator and who can confirm that the staff being supplied are free to work in the UK and meet all the requirements for the role being provided for.

5.11 All staff will receive information about slavery and human trafficking.

5.12 Staff will be advised that if they are subject to slavery or human trafficking, or if they are aware of any individual that may be subject to slavery or has been trafficked, or if slavery or human trafficking is disclosed to them they should inform the Registered Manager of Spiral Health or the police.

PE07 - Anti-Slavery and Human Trafficking Policy and Procedure



6. Definitions

6.1 Slavery

- Slavery, in accordance with the 1926 Slavery Convention, is the status or condition of a person over whom all or any of the powers attaching to the right of ownership are exercised. Since legal ownership of a person is not possible, the key element of slavery is the behaviour on the part of the offender as if he/ she did own the person, which deprives the victim of their freedom

6.2 Human trafficking

- An offence of human trafficking requires that a person arranges or facilitates the travel of another person with a view to that person being exploited. The offence can be committed even where the victim consents to the travel. This reflects the fact that a victim may be deceived by the promise of a better life or job or may be a child who is influenced to travel by an adult. In addition, the exploitation of the potential victim does not need to have taken place for the offence to be committed. It means that the arranging or facilitating of the movement of the individual was with a view to exploiting them for sexual exploitation or non-sexual exploitation



Key Facts - Professionals

Professionals providing this service should be aware of the following:

- The Modern Slavery Act 2015 details what organisations need to do about slavery and human trafficking
- Staff will receive information about slavery and human trafficking, and be supported by the organisation if subject to, or reporting of, cases of slavery or human trafficking
- Only staff that have been through robust recruitment procedures will be employed at Spiral Health
- If there are cases of slavery or human trafficking then the service will share this information with the appropriate authorities
- If slavery or human trafficking is disclosed to you then this must be shared with the Registered Manager, or the police



Further Reading

As well as the information in the 'Underpinning Knowledge' section of the review sheet we recommend that you add to your understanding in this policy area by considering the following materials:

This website contains videos and a lot more information about modern slavery: <https://www.gov.uk/government/collections/modern-slavery>

See also: <https://www.antislavery.org/slavery-today/slavery-uk/>



Outstanding Practice

To be outstanding in this policy area you could provide evidence that:

- Specific training provided on slavery and human trafficking
- The publication of a statement on slavery and human trafficking even though this is not a legal requirement
- A very high level of understanding and awareness demonstrated in all areas of the service
- Spiral Health shares its practice in this area with other organisations and is seen as a 'best practice resource'