

## Report to the NHS Somerset Clinical Commissioning Group on 31 March 2022

<b>Title: MODERN DAY SLAVERY AND HUMAN TRAFFICKING STATEMENT</b>	<b>Enclosure K</b>
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Version Number / Status:	1.0
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Clinical Lead:	Director of Quality and Nursing
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### Summary and Purpose of Paper

This paper comprises the Modern Day Slavery and Human Trafficking Statement of NHS Somerset Clinical Commissioning Group (Somerset CCG) for the financial year ending 31 March 2022 in accordance with Section 54, Part 6 of the Modern Slavery Act 2015.

Somerset CCG recognises that it has a responsibility to take a robust approach to Modern Day Slavery and Human Trafficking and is absolutely committed to its prevention within all corporate activities.

### Recommendations and next steps

The Governing Body is asked to approve the Modern Day Slavery And Human Trafficking Statement for signature by the Chief Executive.

Once approved, the Statement will be published on the website.

### Impact Assessments – key issues identified

<b>Equality</b>	Commitment to this statement is part of delivering the legal objectives of the CCG and ensuring equality of service delivery for everyone.			
<b>Quality</b>	Prevention of modern day slavery and human trafficking is central to improving the quality of services for everyone.			
<b>Privacy</b>	The statement will be published on the CCG website.			
<b>Engagement</b>	Key teams within the CCG have been engaged with drafting this statement. There has been no external engagement as this is a legal requirement.			
<b>Financial / Resource</b>	No impacts identified			
<b>Governance or Legal</b>	Modern Slavery Act 2015			
<b>Risk Description</b>				
<b>Risk Rating</b>	Consequence	Likelihood	RAG Rating	GBAF Ref

## **NHS SOMERSET CLINICAL COMMISSIONING GROUP'S RESPONSE TO THE REQUIREMENTS OF THE MODERN SLAVERY ACT 2015**

### **1 INTRODUCTION**

1.1 This paper comprises the Modern Day Slavery and Human Trafficking Statement of NHS Somerset Clinical Commissioning Group (Somerset CCG) for the financial year ending 31 March 2022 in accordance with **Section 54, Part 6** of the **Modern Slavery Act 2015**.

1.2 Somerset CCG recognises that it has a responsibility to take a robust approach to Modern Day Slavery and Human Trafficking and is absolutely committed to its prevention within all corporate activities.

### **2 DEFINITION OF OFFENCES**

#### **Modern Day Slavery, Servitude, Forced or Compulsory Labour**

2.1 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**

2.2 A person commits an offence if the person arranges or facilitates the travel of another person (victim) with a view to the victim being exploited.

2.2 It is irrelevant whether the victim consents to travel and whether or not the victim is an adult or a child.

#### **Exploitation**

2.3 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

### **3 ORGANISATIONAL GOVERNANCE STRUCTURE AND BUSINESS**

3.1 The Governing Body is supported by the following committees:

- Audit Committee
- Remuneration Committee
- Primary Care Commissioning Committee
- Clinical Executive Committee
- Patient Safety and Quality Assurance Committee
- Finance and Performance Committee

3.2 The Chief Executive/Accountable Officer and the Director of Quality and Nursing are both members of the Governing Body.

3.3 Matters of Safeguarding are brought to the Patient Safety and Quality Assurance Committee and are reported to the Governing Body on an exceptional basis. The Director of Quality and Nursing is a member of the Patient Safety and Quality Assurance Committee.

3.4 Somerset CCG has a clear line of accountability for safeguarding: An Accountable Officer and Executive Lead for Safeguarding are in place, and responsibility for Safeguarding Children and Adults at risk is within the portfolio of the Director of Quality and Nursing.

3.5 The Designated and Deputy Designated Nurses for Safeguarding Children, the Designated and Deputy Designated Nurses for Safeguarding Adults, Designated Nurse Children Looked After, Designated Doctor Safeguarding Children, CHC Safeguarding Team and the Clinical Lead/Named GP for Safeguarding Children & Adults, are an integral part of CCG activity.

3.6 Somerset CCG also works closely with Somerset County Council, Somerset Safeguarding Adults Board, Somerset Safeguarding Children Partnership and the Safer Somerset Partnership Board and key agencies on matters of safeguarding, including Modern Slavery and Human Trafficking.

### **4 PROCUREMENT AND SUPPLY CHAINS**

4.1 In addition to our commitment to ensure that there is due diligence in relation to Modern Slavery and our procurement and supply chains, the CCG also recognises that it is a partner in the multi agency activity to prevent people being exploited and the response to any incidence of modern slavery in the CCG area. Somerset CCG recognises safeguarding as a high priority for the organisation. To achieve this, we ensure we have arrangements in place to provide strong leadership, vision and direction for safeguarding. We make sure we have clear, accessible policies and procedures in line with relevant legislation, statutory guidance and best practice.

4.2 Somerset CCG ensures that organisations commissioned to provide services have appropriate systems that safeguard children in line with section 11 of the Children Act (2004), and adults in line with The Care Act (2014), who may be experiencing abuse and exploitation as set out in the above legislation and The Modern Slavery Act (2015).

- 4.3 The CCG's Procurement Policy and Principles will be kept up to date to include a commitment to the CCG's obligations under the Act and also the action it intends to take in its procurement processes.
- 4.4 The CCG's contractual agreements (Standard NHS Contract) contain an obligation within clause SC1.2.2 for providers of services to *"perform all of its obligations under the Contract in accordance with"*
- 1.1.1 *the terms of this Contract; and*  
 1.1.2 *the Law; and*  
 1.1.3 *good practice*
- 4.5 In addition, under SC32 Safety and Safeguarding, there is a requirement upon all of our providers to have in place programmes for safeguarding and to co-operate with the Commissioner in pursuance of these.
- 4.6 The South, Central and West Commissioning Support Unit (SCW CSU), which supports Somerset CCG in its procurement activity, have confirmed their procurement approach, which includes a provision of compliance under the Modern Slavery Act 2015.
- 4.7 As part of the SCW CSU procurement document, a Selection Questionnaire is used for the majority of procurements. Within Section 7 specific questions (see below) relating to the Modern Slavery Act are asked for in scope organisations. In line with the Modern Slavery Act 2015, in scope organisations are those with an annual turnover of £36 million or more per annum.

**Section 7 Modern Slavery Act 2015: Requirements under Modern Slavery Act 2015**

7.1 Are you a relevant commercial organisation as defined by section 54 ("Transparency in supply chains etc.") of the Modern Slavery Act 2015 ("the Act")? Yes  N/A

7.2 If you have answered yes to question 7.1 are you compliant with the annual reporting requirements contained within Section 54 of the Act 2015?

Yes

Please provide the relevant URL

No

Please provide an explanation

**5 THE POLICIES IN RELATION TO SLAVERY AND HUMAN TRAFFICKING**

- 5.1 Human Trafficking and Modern Slavery guidance is included in the [CCG's Safeguarding Policies](#)
- Section 10 of the CCG's Safeguarding Children Policy outlines the organisation's duty and response to modern slavery and human trafficking
  - The [Safeguarding Adult multi-agency policy](#) in Somerset features the duty of partners to work together to support adults with care and support needs who can not protect themselves from abuse, neglect and exploitation because of their care and support needs. This

includes adults who are being exploited through modern slavery and human trafficking. The CCG Safeguarding Adults policy outlines modern slavery in point 7.5.

- 5.2 The response to Human Trafficking and Modern Slavery is co-ordinated under the [Somerset Safeguarding Children Partnership](#), [Somerset Safeguarding Adult](#) Board and [Safer Somerset Partnership](#) processes.

## **6 THE DUE DILIGENCE PROCESSES IN RELATION TO MODERN SLAVERY AND HUMAN TRAFFICKING IN BUSINESS AND SUPPLY CHAINS**

- 6.1 Somerset CCG is committed to ensuring that there is no Modern Slavery or Human Trafficking in our supply chains or in any part of our business.

- 6.2 Somerset CCG adheres to the National NHS Employment Checks/Standards. This includes employees' UK address, right to work in the UK and suitable references.

- 6.3 Somerset CCG has in place systems to encourage the reporting of concerns and the protection of whistle-blowers. Where possible, we build long-standing relationships with our Providers and make clear our expectations of business behaviour. With regard to national or international supply chains, we expect these entities to have suitable anti-slavery and human trafficking policies and processes in place.

## **7 THE PARTS OF THE CCG'S BUSINESS AND SUPPLY CHAINS, WHERE THERE IS A RISK OF MODERN SLAVERY AND HUMAN TRAFFICKING TAKING PLACE, AND THE STEPS THE CCG HAS TAKEN TO ASSESS AND MANAGE THAT RISK**

- 7.1 Somerset CCG 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.

- 7.2 The NHS supply and procurement chain ensures that providers have measures in place to tackle modern slavery and human trafficking as part of being accepted as a trusted partner.

## **8 THE EFFECTIVENESS IN ENSURING THAT MODERN SLAVERY AND HUMAN TRAFFICKING IS NOT TAKING PLACE IN ITS BUSINESS OR SUPPLY CHAINS, MEASURED AGAINST SUCH PERFORMANCE INDICATORS AS IT CONSIDERS APPROPRIATE**

- 8.1 Somerset CCG aims to be as effective as possible in ensuring that Modern Slavery and Human Trafficking is not taking place in any part of our business or supply chains:

- i) Liaison with Safeguarding Leads within Provider services and Somerset County Council to identify safeguarding referrals pertaining to modern slavery and the outcomes of investigations undertaken.

- ii) NHS employment checks and payroll systems (ie. people brought into the country illegally will not have a National Insurance number).
- iii) Level of communication with our commissioned providers 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.

**9 TRAINING ABOUT MODERN SLAVERY AND HUMAN TRAFFICKING IS AVAILABLE TO STAFF**

- 9.1 Reference is currently made to Modern Slavery and Human Trafficking within Somerset CCG's mandatory Safeguarding Children and Adult training programmes and is compliant with the recommendations in the [Safeguarding Children and Young People: Fourth Edition; January 2019.](#) and *Adult Safeguarding: Roles and Competencies for Health Care Staff First edition: August 2018*

**This Statement is made pursuant to Section 54(1) of the Modern Slavery Act 2015 and constitutes our organisation's modern slavery and human trafficking statement for the current financial year (2021/22).**

Signed: James Rimmer  
Accountable Officer

Date: