

## 1. Introduction

- 1.1. From 29 October 2015, the Modern Slavery Act 2015 (the Act) requires commercial organisations, including all NHS organisations, to make a public statement as to the actions they have taken to detect and deal with forced labour and trafficking in their supply chains – the Transparency in Supply Chains obligation. The guidance is [available here](#).
- 1.2. Organisations with a year-end of 31 March 2019 are the first to be required to publish on their website a statement within 6 months of current year end.
- 1.3. The Act requires a slavery and human trafficking statement to be approved and signed at Governing Body level. This ensures senior level accountability, leadership and responsibility for modern slavery and gives it the serious attention it deserves.

## 2. What should the statement include?

- 2.1. The Government has not been prescriptive about the layout or specific content of a slavery and human trafficking statement. It is up to organisations how they present information in the statement and how much detail they provide. However, organisations must include in the statement all the steps they have taken.
- 2.2. The guidance provides a non-exhaustive list of information that may be included:
  - i. The organisation's structure, its business and its supply chains.
  - ii. Its policies in relation to slavery and human trafficking.
  - iii. Its due diligence processes in relation to slavery and human trafficking in its business and supply chains.
  - iv. The parts of its business and supply chains where there is a risk of slavery and human trafficking taking place, and the steps it has taken to assess and manage that risk.
  - v. 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.
  - vi. The training about slavery and human trafficking available to its staff.

## 3. What are the consequences of failing to issue an annual statement?

- 3.1. The UK Home Secretary can force an organisation (by way of proceedings for an injunction) to issue an annual statement.
- 3.2. A failure to comply with the provision, or a statement that an organisation has taken no steps, may damage the reputation of the organisation.

## 4. Worcestershire CCGs' Statement

- 4.1. The CCGs' draft statement for 2019/2020 is detailed at **Appendix 1**. The content guide detailed in paragraph 2.2 has been used to develop the statement.
- 4.2. The statement has been developed by assessing existing practice undertaken within the business. The CCGs' approach is governed by compliance with legislative and regulatory requirements and due to the nature of its business is a relatively low risk however moving forward, we will seek to ensure that, where appropriate, we seek assurances from our providers that they comply with the Act.

## 5. Recommendations

- 5.1. The Statement has been approved and recommended to the Governing Bodies for adoption. It now requires signing by the Accountable Officer and publication.

## **Appendix 1 – NHS Redditch and Bromsgrove, NHS South Worcestershire and NHS Wyre Forest Clinical Commissioning Groups’ Response to the Requirements of the Modern Slavery Act 2015**

This statement comprises the slavery and human trafficking statement of NHS Redditch and Bromsgrove Clinical Commissioning Group, NHS South Worcestershire Clinical Commissioning Group and NHS Wyre Forest Clinical Commissioning Group (the organisations) for the financial year ending 31st March 2020 in accordance with **Section 54, Part 6 of the Modern Slavery Act 2015.**

The organisation recognises that it has a responsibility to take a robust approach to slavery and human trafficking and is absolutely committed to preventing slavery and human trafficking in its corporate activities.

### **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.

#### **Organisational Structure**

As an authorised statutory body, the CCGs are the lead commissioner for health care services (including acute, community, mental health and primary care) in Worcestershire – covering a population in excess of 550,000. We are an NHS organisation with approximately 200 employees and an annual budget in 2019/2020 of approximately £800m.

The Membership, Governing Body, Executive Team and all employees are committed to ensuring that there is no modern slavery or human trafficking in any part of our commissioning activity and in so far as is possible to holding our partners to account to do likewise.

#### **Our approach**

Our overall approach is governed by compliance with legislative and regulatory requirements and the maintenance and development of best practice in the fields of contracting and employment.

The CCG recognises safeguarding as a high priority for the organisation. In order to achieve this we ensure that 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.

#### **The organisational structure, business and supply chain**

We have a clear line of accountability for safeguarding within the CCG.

The CCG's Accountable Officer has ultimate accountability for ensuring that the health contribution to safeguarding and promoting the welfare of children and adults is discharged effectively across the whole health economy through commissioning arrangements.

The CCGs' Chief Nurse & Director of Quality is the Governing Body executive lead for safeguarding and has responsibility for providing leadership and gaining assurance in relation to safeguarding issues within the CCGs and localities.

The CCG employs the expertise of a Designated Nurse for Safeguarding Adults and Children, Designated Doctor for Safeguarding and Looked After Children and an Adult Safeguarding Lead. These roles are an integral part of the CCG's activity and support the delivery of the safeguarding adult and children agenda.

## **Procurement**

The CCGs ensure 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 Mental Capacity Act 2005, The Care Act 2014 and The Modern Slavery Act 2015.

With regards specifically to the Modern Slavery Act 2015, there is a specific question in our standard set in the pre-qualification questionnaire so that we can be assured of the approach of potential providers at the outset of procurement.

In addition, the CCGs' 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'*

Further, 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.

## **The policies in relation to Slavery and Human Trafficking**

Across the West Midlands there is a multi-agency policy and procedures for the protection of adults with care and support needs. This policy covers Modern Slavery and Trafficking. Across Worcestershire organisations will report any concerns direct to the police or into adult safeguarding.

Any concerns are directed to the police or into adult safeguarding.

## **The due diligence processes in relation to Slavery and Human Trafficking in its business and supply chains**

The CCGs are committed to ensuring that there is no Modern Slavery or Human Trafficking in our supply chains or in any part of our business.

Safe recruitment principles are adhered to which includes strict requirements in respect of identity checks, work permits and criminal records. The pay structure is derived from national collective agreements and is based on equal pay principles with rates of pay that are nationally determined. The Remuneration Committee holds the organisation to account in adhering to these standards.

Systems are in place to encourage the reporting of concerns and the protection of whistle blowers.

With regards to providers and supply chains, we expect these entities to have suitable anti-slavery and human trafficking policies and processes in place. We will use our routine contract management meetings with major providers to hold them explicitly to account for compliance with the Act and we will implement any relevant clauses contained within the Standard NHS Contract for 2019/20.

All providers are contractually required to report compliance with safeguarding standards to the CCGs using the agreed frameworks.

**The parts of its business and supply chains where there is a risk of Slavery and Human Trafficking taking place, and the steps it has taken to assess and manage that risk**

The 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.

**The 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 CCGs aim 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 by:

- i. Effective interagency working with local authorities, the police and third sector organisations which includes appropriate arrangements for preventing and responding to modern slavery and Human Trafficking;
- ii. Signing up to the West Midlands multi-agency policy and procedures for the protection of adults with care and support needs;
- iii. Undertaking robust NHS employment checks and payroll systems;
- iv. Ensuring good communication through contract management meetings, 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 including bribery, slavery and other ethical considerations.
- v. Requiring the CCGs' providers to Provide the CCGs with assurance around safeguarding compliance within the agreed framework

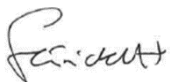
**Training about Slavery and Human Trafficking**

Slavery and Human Trafficking is part of the organisation's Mandatory Safeguarding Children and Adults training programme.

**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.**

Signed:

Date: 12<sup>th</sup> November 2019



**Simon Trickett  
Accountable Officer  
NHS Redditch and Bromsgrove Clinical Commissioning Group  
NHS South Worcestershire Clinical Commissioning Group  
NHS Wyre Forest Clinical Commissioning Group**