

Modern Day Slavery Policy

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Modern Day Slavery Policy

Document Control / History

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1	New Policy
2	Annual refresh
3	Annual refresh
4	Annual refresh

Consultation

September 2019 – Trust Board

September 2020 – No changes so no additional approval required

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Modern Day Slavery Policy

Table of Contents

TO BE READ IN CONJUNCTION WITH ANY POLICIES LISTED IN TRUST ASSOCIATED DOCUMENTS.	4
1 INTRODUCTION	4
2 PURPOSE / AIM AND OBJECTIVE	4
3 DEFINITIONS	4
4 (DUTIES) ROLES & RESPONSIBILITIES	4
5 TRUST STATEMENT	5
6 MONITORING AND REVIEW	7
7 TRAINING AND IMPLEMENTATION	7
8 EQUALITY IMPACT ASSESSMENT STATEMENT & TOOL	7
9 REFERENCES	8
10 APPENDIX 1 – EQUALITY IMPACT ASSESSMENT	8

Modern Day Slavery Policy

To be read in conjunction with any policies listed in Trust Associated Documents.

Introduction

- 1.1 Modern slavery encompasses slavery, servitude, human trafficking and forced labour. The Trust has a zero tolerance approach to any form of modern slavery. We are committed to acting ethically and with integrity and transparency in all business dealings and to putting effective systems and controls in place to safeguard against any form of modern slavery taking place within the organisation or our supply chain.

Purpose / Aim and Objective

- 2.1 This statement is made pursuant to s54 “Transparency in supply chains” of the Modern Slavery Act 2015 and sets out the steps the Trust has taken, and is continuing to take, to make sure that modern slavery or human trafficking is not taking place within our organisation or supply chain.

Definitions

- 3.1 Terms used in this document are defined or explained in context.

(Duties) Roles & Responsibilities

4.1 Trust Board

- 4.1.1 Are required to consider and approve this policy and support the requirements set out in the relevant legislation.

4.2 Chief Executive

- 4.2.1 To be accountable for the implementation of this policy and ensuring its effectiveness is continually reviewed.

4.3 Head of Safeguarding

- 4.3.1 To be the strategic lead within the Trust for safeguarding of adults and children
4.3.2 To facilitate policies and procedures related to safeguarding adults and children
4.3.3 To ensure advice and training about modern slavery and human trafficking is available to staff through mandatory safeguarding children and adults programmes
4.3.4 To provide assurance reports for the Executive Lead on Safeguarding Adult and Children legal compliance.

4.4 Line Managers

- 4.4.1 Line managers are responsible for ensuring that the Safeguarding Policies are implemented within their programmes and directorate.

4.5 All Staff

Modern Day Slavery Policy

4.5.1 All staff are responsible for adhering to the policy and fulfilling mandatory training requirements.

Trust Statement

5.1 Our policies on slavery and human trafficking

5.1.1 The Trust is aware of our responsibilities towards patients, service users, employees and the local community and expects all suppliers to the Trust to adhere to the same ethical principles. We are committed to ensuring that there is no modern slavery or human trafficking in our supply chains or in any part of our business. Our internal policies replicate our commitment to acting ethically and with integrity in all our business relationships.

5.1.2 Currently, all awarded suppliers sign up to our terms and conditions of contract which contain a provision around Good Industry Practice to ensure each supplier's commitment to anti-slavery and human trafficking in their supply chains; and that they conduct their businesses in a manner that is consistent with the Trust's stance on anti-slavery. In addition, an increasing number of suppliers are implementing the Labour Standards Assurance System (LSAS) as a condition of contract for tenders within high risk sectors and product categories and indeed this has been referenced in the Government's Modern Slavery Strategy. Many aspects of the LSAS align to the seven reporting areas that the Government has outlined and should appear within any slavery and human trafficking statement.

5.1.3 We operate a number of internal policies to ensure that we are conducting business in an ethical and transparent manner. These include:

- Recruitment policy. We operate a robust recruitment policy, including conducting eligibility to work in the UK checks for all directly employed staff, and agencies on approved frameworks are audited to provide assurance that pre-employment clearance has been obtained for agency staff, to safeguard against human trafficking or individuals being forced to work against their will
- Equal Opportunities. We have a range of controls to protect staff from poor treatment and/or exploitation, which comply with all respective laws and regulations. These include provision of fair pay rates, fair terms and conditions of employment, and access to training and development opportunities
- Safeguarding policies. We adhere to the principles inherent within both our safeguarding children and adults policies. These are compliant with Medway multiagency agreements and provide clear guidance so that our employees are clear on how to raise safeguarding concerns about how colleagues or people receiving our services are being treated, or about practices within our business or supply chain

Modern Day Slavery Policy

- Whistleblowing policy. We operate a Freedom to Speak Up, Raising Concerns at Work and Whistleblowing Policy so that all employees know that they can raise concerns about how colleagues or people receiving our services are being treated, or about practices within our business or supply chain, without fear of reprisals
- Standards of business conduct. This code explains the manner in which we behave as an organisation and how we expect our employees and suppliers to act

5.1.4 Our approach to procurement and our supply chain includes:

- Ensuring that our suppliers are carefully selected through our robust supplier selection criteria/processes
- Requiring that the main contractor provides details of its sub-contractor(s) to enable the Trust to check their credentials
- Random requests that the main contractor provides details of its supply chain
- Ensuring invitation to tender documents contain a clause on human rights issues
- Ensuring invitation to tender documents also contain clauses giving the Trust the right to terminate a contract for failure to comply with labour laws
- Using the standard Supplier Selection Questionnaire (SQ) that has been introduced (which includes a section on Modern Day Slavery)

5.1.5 Trust staff must contact and work with the Procurement department when looking to work with new suppliers so appropriate checks can be undertaken.

5.1.6 Supplier adherence to our values: we are zero tolerant to slavery and human trafficking and thereby expect all our direct and indirect suppliers/contractors to follow suit.

5.1.7 Where it is verified that a subcontractor has breached the child labour laws or human trafficking, then this subcontractor will be excluded in accordance with Regulation 57 of the Public Contracts Regulations 2015. The Trust will require that the main contractor substitute a new subcontractor.

5.2 Training

5.2.1 Advice and training about modern slavery and human trafficking is available to staff through our mandatory safeguarding children and adults training programmes, our safeguarding policies and procedures, and our safeguarding leads. It is also discussed at our compulsory staff induction training.

5.2.2 We are looking at ways to continuously increase awareness within our organisation, and to ensure a high level of understanding of the risks involved

Modern Day Slavery Policy

with modern slavery and human trafficking in our supply chains and in our business.

5.3 Our performance indicators

5.3.1 We will know the effectiveness of the steps that we are taking to ensure that slavery and/or human trafficking is not taking place within our organisation or supply chain if:

No reports are received from our staff, the public, or law enforcement agencies to indicate that modern slavery practices have been identified

Monitoring and Review

What will be monitored	How/Method/ Frequency	Lead	Reporti ng to	Deficiencies/ gaps Recommendations and actions
Policy review	Annually	Head of Safeguarding	Executive Lead	Where gaps are recognised action plans will be put into place
Number of reports received from staff, the public, or law enforcement agencies to indicate that modern slavery practices have been identified	Monthly	Head of Safeguarding	Executive Lead	Where reports are received action plans will be put into place

Training and Implementation

7.1 To support the implementation and embedding of the Safeguarding policy and procedures mandatory e-learning training supported by face to face sessions available to all staff

Equality Impact Assessment Statement & Tool

All public bodies have a statutory duty under The Equality Act 2010 (Statutory Duties) Regulations 2011 to provide “evidence of analysis it undertook to establish whether its policies and practices would further, or had furthered, the aims set out in section 149(1) of the [Equality Act 2010]”; in effect to undertake equality impact assessments on all procedural documents and practices. Authors should use the Equality Impact Toolkit to assess the impact of the document.

In the first instance this will mean screening the document and, where the screening indicates, completing a full assessment. The Toolkit can be found on the Trust website <http://www.medway.nhs.uk/our-foundation-trust/publications/equality-and-diversity/equality-impact-assessments/>

A document will not be considered approved until the author has confirmed that the screening process has been carried out and where required a full impact assessment has been

Modern Day Slavery Policy

completed. Where a full assessment is completed this should be submitted along with the document for approval.

References

Document	Ref No
References:	
Modern Slavery Act 2015	
Trust Associated Documents:	
Recruitment Policy	PLCHR039
Inclusion Policy	POLCHR044
Freedom to Speak Up: Raising Concerns at Work (Whistleblowing)	POLCHR014
Safeguarding Policy	POLCPCM082

Appendix 1 – Equality Impact Assessment

		Yes/No	Comments
1	Does the policy/guidance affect one group less or more favourably than another on the basis of:		
	▪ Age	No	
	▪ Disability	No	
	▪ Gender reassignment	No	
	▪ Marriage and civil partnership	No	
	▪ Pregnancy and maternity	No	
	▪ Race	No	
	▪ Religion or belief	No	
	▪ Sex	No	
	▪ Sexual orientation	No	
2	Is there any evidence that some groups are affected differently?	No	
3	If you have identified potential discrimination, are any exceptions valid, legal and/or justifiable?	N/A	

Modern Day Slavery Policy

4	Is the impact of the policy/guidance likely to be negative?	No	
5	If so can the impact be avoided?	N/A	
6	What alternatives are there to achieving the policy/guidance without the impact?	N/A	
7	Can we reduce the impact by taking different action?	N/A	

END OF DOCUMENT