

NHS SOMERSET INTEGRATED CARE BOARD'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 Integrated Care Board (ICB) for the financial year ending 31 March 2024 in accordance with **Section 54, Part 6** of the **Modern Slavery Act 2015**.

1.2 Somerset ICB 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 ICB Board is supported by the following committees:

- Audit Committee
- Remuneration Committee
- Primary Care Commissioning Committee
- Quality Committee
- Finance Committee
- Leadership Committee

3.2 The Chief Executive/Accountable Officer and the Chief Nursing Officer are both members of the ICB Board.

3.3 Matters of Safeguarding are brought to the Quality Committee and are reported to the ICB Board on an exceptional basis. The Chief Nursing Officer is a member of the Quality Committee.

3.4 Somerset ICB 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 Chief Nursing Officer.

3.5 The ICB Strategic Safeguarding Team is managed by the Associate Director of Safeguarding, Mental Health, Learning Disability and Autism who reports directly to the Chief Nursing Office. The team includes the Designated and Deputy Designated Nurses for Safeguarding Children, the Designated and Deputy Designated Nurses for Safeguarding Adults, Designated Nurse Children Looked After and Care Leavers, Designated Doctor Safeguarding Children, CHC Safeguarding Team and the Named Professional for Safeguarding in Primary Care and Pharmacy, Optometry and Dental are an integral part of ICB activity.

3.6 Somerset ICB also works closely with Somerset 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, Somerset ICB 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 ICB area. Somerset ICB 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 ICB 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 ICB’s Procurement Policy and Principles will be kept up to date to include a commitment to the ICB’s obligations under the Act and also the action it intends to take in its procurement processes.
- 4.4 The ICB’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 ICB 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 4 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.

Question number	Question	Declaration
4.2	You are a relevant commercial organisation subject to Section 54 of the Modern Slavery Act 2015 if you carry on your business, or part of your business in the UK, supplying goods or services and you have an annual turnover of at least £36 million.	
4.2(a)(i)	If you are a relevant commercial organisation please: <ul style="list-style-type: none"> ● confirm that you have published a statement as required by Section 54 of the Modern Slavery Act. 	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
4.2(a)(ii)	<ul style="list-style-type: none"> ● Confirm that the statement complies with the requirements of Section 54 and any guidance issued under Section 54. 	Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
4.2 (b)	If your latest published statement is available electronically please provide: <ul style="list-style-type: none"> ● the web address, precise reference of the documents. 	

- 4.8 In addition, where services are deemed to be medium to high risk as covered within Procurement Policy Note 02/23 – Tackling Modern Slavery in government Supply Chains the following questions can be used (if appropriate to do so):

7.8	<u>Tackling Modern Slavery in Supply Chains</u>
7.8 (a)(i)	<p>For UK suppliers only: You are a relevant commercial organisation subject to Section 54 of the Modern Slavery Act 2015 if you carry on your business, or part of your business in the UK, supplying goods or services and you have an annual turnover of at least £36 million.</p> <p>If applicable, please confirm that your published modern slavery statement provided in Part 2 of this Selection Questionnaire (exclusion grounds) complies with the requirements contained within Section 54 of the Modern Slavery Act 2015 and associated guidance including information relating to:</p> <ul style="list-style-type: none"> • the organisation’s structure, its business and its 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 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 and capacity building about slavery and human trafficking available to its staff.
7.8 (a)(ii)	<p>If you do not currently meet the above requirements, please provide a satisfactory explanation that the requirements will be met before contract award.</p>
7.8 (b)	<p>For Non-UK suppliers only:</p> <p>7.8 (b)(i) Please provide a link to your organisation’s published modern slavery statement, (which has been published in your own jurisdiction), or provide a link or copy of a relevant company document containing the equivalent information (as per below).</p> <ul style="list-style-type: none"> • the organisation’s structure, its business and its 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 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 and capacity building about slavery and human trafficking available to its staff

7.8 (b)(ii)	If you do not currently meet the above requirements, please provide a satisfactory explanation that the requirements will be met before contract award.
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5 THE POLICIES IN RELATION TO SLAVERY AND HUMAN TRAFFICKING

5.1 Human Trafficking and Modern Slavery guidance is included in the ICB's Safeguarding Policies

- Section 4.11 of the ICB'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 cannot 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 ICB Safeguarding Adult's 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 ICB 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 ICB 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 ICB 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 ICB'S BUSINESS AND SUPPLY CHAINS, WHERE THERE IS A RISK OF MODERN SLAVERY AND HUMAN TRAFFICKING TAKING PLACE, AND THE STEPS THE ICB HAS TAKEN TO ASSESS AND MANAGE THAT RISK

7.1 Somerset ICB 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 ICB 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 (i.e. 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 ICB'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 (2023/24).



Jonathan Higman
Accountable Officer
Date: 8 November 2023

