

NHS Kernow Clinical Commissioning Group's response to the requirements of the Modern Slavery Act 2015

This statement comprises the Modern Day Slavery and Human Trafficking statement of NHS Kernow Clinical Commissioning Group (NHS Kernow) for the financial year ending 31 March 2018, 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 modern day slavery and human trafficking and is absolutely committed to its prevention within all corporate activities.

1. Definition of offences: Modern day slavery, servitude, forced or compulsory labour

- 1.1 A person commits an offence if:
- i. The person holds another person in slavery or servitude and the circumstances are such that 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 that the person knows or ought to know that the other person is being required to perform forced or compulsory labour.

2. Human trafficking

- 2.1 A person commits an offence if:
- i. The person arranges or facilitates the travel of another person (victim) with a view to being exploited; or
 - ii. It is irrelevant whether the victim consents to travel and whether or not the victim is an adult or a child.

3. Exploitation

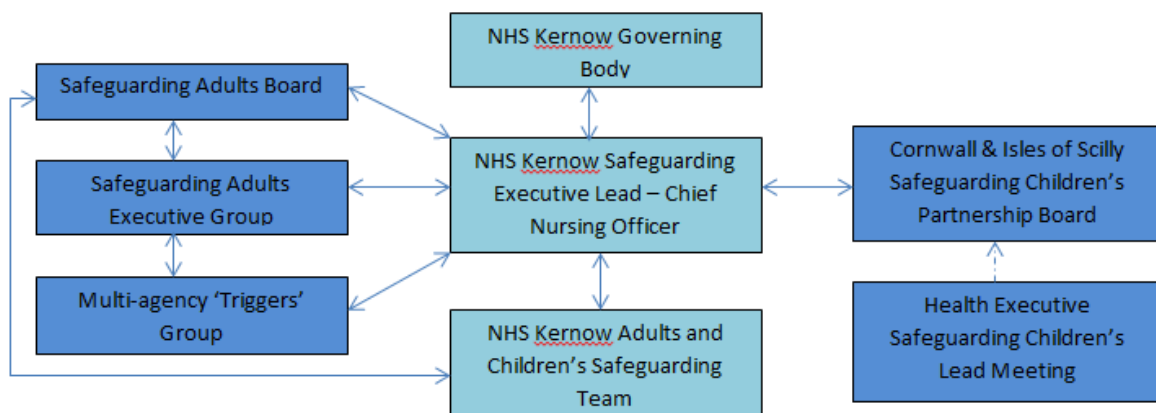
- 3.1 A person is exploited if one or more of the following issues are identified in relation to the victim:
- i. Slavery, servitude, forced or compulsory labour;
 - ii. Sexual exploitation;
 - iii. Removal of organs;
 - iv. Securing services by force, threats and deception; or
 - v. Securing services from children, young people and vulnerable persons.

4. Organisational structure

- 4.1 As reported in our 2016/17 Annual Report, NHS Kernow comprises 62 GP practices from across Cornwall and the Isles of Scilly and is responsible for planning and commissioning many local NHS services, serving a practice population of 534,000 patients.
- 4.2 NHS Kernow recognises safeguarding as a high priority for the organisation. In order to achieve this it ensures there are arrangements in place to provide strong leadership, vision and direction for safeguarding. NHS Kernow will ensure it has clear and accessible policies and procedures in line with relevant legislation, statutory guidance and best practice.
- 4.3 NHS Kernow has a clear line of accountability for safeguarding within NHS Kernow. An executive lead for safeguarding is in place and responsibility for safeguarding children and adults at risk is within the portfolio of the Chief Nursing Officer. The designated nurses for safeguarding children and adults are an integral part of NHS Kernow activity. NHS Kernow 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), the Mental Capacity Act (2005), and the Modern Slavery Act (2015).

5. The organisational structure, business and supply chain

- 5.1 The diagram below describes the organisational governance structure that supports the delivery of the safeguarding adult and children agenda within NHS Kernow. The Accountable Officer and/or the executive lead for safeguarding attend all of the committees below.



6. Procurement

- 6.1 The NHS Kernow procurement policy and principles will be updated to include a commitment to NHS Kernow's obligations under the Act and the action it intends to take in the procurement process.
- 6.2 In addition, NHS Kernow's contractual agreements (Standard NHS Contract) contain an obligation within clause SC1 Provision of Services for providers of services to perform all of its obligations under the contract in accordance with:
- i. The terms of this contract;
 - ii. The law; and
 - iii. Good practice.
- 6.3 Further, under SC32 Safety and Safeguarding, there is a requirement upon all of our providers to have in place programmes for safeguarding and to cooperate with the commissioner in pursuance of these.

7. The policies in relation to slavery and human trafficking

- 7.1 Human trafficking and modern slavery guidance is included in the NHS Kernow safeguarding policies which are cross-referenced to the Cornwall and Isles of Scilly Safeguarding Adults Board and Safeguarding Children's Partnership policies.
- 7.2 The response to human trafficking and modern slavery is coordinated under the Safeguarding Adults Board and Safer Cornwall Partnership both of which are multi-agency forums.

8. The due diligence processes in relation to modern slavery and human trafficking in its business and supply chains

- 8.1 NHS Kernow is committed to ensuring that there is no modern slavery or human trafficking in our supply chains or in any part of our business.
- 8.2 NHS Kernow adheres to the national NHS employment checks/standards. This includes employees UK address, right to work in the UK and suitable references.
- 8.3 NHS Kernow has in place systems to encourage the reporting of concerns and the protection of whistle-blowers. Where possible, NHS Kernow builds longstanding relationships with our providers and makes clear our expectations of business behaviour. With regard to national or international supply chains, NHS Kernow expects these entities to have suitable anti-slavery and human trafficking policies and processes in place. NHS Kernow has a Governing Body lay member as a whistleblowing lead.

9 The parts of its business and supply chains, where there is a risk of modern slavery and human trafficking taking place, and the steps it has taken to assess and manage that risk

9.1 NHS Kernow 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 organisations safeguarding process and in conjunction with partner agencies; such as the local authority and police.

10 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 is considered appropriate

10.1 NHS Kernow 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 by:

- i. Liaison with safeguarding leads within provider services and the Cornwall and Isles of Scilly local authorities to identify safeguarding referrals pertaining to modern slavery and human trafficking and the outcomes of investigations undertaken;
- ii. NHS employment checks and payroll systems (e.g. people brought into the country illegally will not have a National Insurance Number); and
- iii. 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.

11 Training about modern slavery and human trafficking is available to staff

11.1 Reference is currently made to modern slavery and human trafficking within the organisation's mandatory safeguarding children and adults training programmes and is compliant with the recommendations in the Safeguarding Children and Young People: Roles and Competences for Healthcare Staff; Intercollegiate Document, Third Edition, March 2014.

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.