

NHS England and NHS Improvement Board meetings held in common

Paper Title: Human trafficking and modern slavery statement

Agenda item: 13 (Public session)

Report by: Emily Lawson, Chief Commercial Officer

Paper type: For approval

Organisation Objective:

NHS Mandate from Government	<input type="checkbox"/>	Statutory item	<input checked="" type="checkbox"/>
NHS Long Term Plan	<input type="checkbox"/>	Governance	<input type="checkbox"/>
NHS People Plan	<input type="checkbox"/>		

Executive summary:

Section 54 (1) of the Modern Slavery Act (2015) requires commercial organisations operating in the UK with an annual turnover of £36m to produce a slavery and human trafficking statement for each financial year of the organisation’.

The Act specifies two legal requirements for the statement:

1. Statements must be published on the organisations website with a link in prominent place on the UK homepage
2. Statements should be approved by the board of directors and signed by a director

Action required:

The Boards are asked to approve the Slavery and Human Trafficking statement for 2021/22.

Background

1. Modern slavery is an umbrella term, encompassing human trafficking, slavery, servitude and forced labour.
2. Someone is in **slavery** if they are;
 - a. Forced to work through mental or physical threat
 - b. Owned or controlled by an ‘employer’ usually through means of mental or physical abuse or the threat of abuse
 - c. Dehumanised, treated as a commodity or bought and sold as property
 - d. Physically constrained or have restrictions placed on their freedom
3. Servitude is like slavery, in that a person is under obligation to provide a service which is imposed on them, but there is no element of ownership. Forced work is defined as ‘work or service which is exacted from any person under the menace of any penalty and for which the person has no offered himself



voluntarily and had been found in a number of different industries including manufacturing, food processing, agriculture and hospitality.

4. Finally, human trafficking is when men, women and children are moved and forced into exploitation. The movement could be international but also within the country, from one city to another or even from a few streets. A person is a victim of human trafficking even if they have not yet been exploited but have been moved for the purposes of exploitation.
5. A commercial organisation is required to publish an annual statement if all the criteria apply:
 - a. It is a 'body corporate' or a partnership, whether incorporated or formed
 - b. It carries on a business, or part of a business in the UK
 - c. It supplies goods or services
 - d. It has an annual turnover of £36 million or more

Considerations

6. This is the fifth Modern Slavery Statement that has been published by NHS England. During the financial year 2019/20, NHS England and NHS Improvement have aligned as one organisation and it is recommended that the Boards accept one statement that will cover both organisations responsibilities.
7. NHS England and NHS improvement fully support the Government's objectives to eradicate modern slavery and human trafficking and recognises the significant role the NHS has to play in both combatting it and supporting victims. During the past year we have continued to increase the depth and breadth of the work on Modern Slavery especially regarding training and working with Health Education to include it on the safeguarding health curriculum.
8. It is recommended that NHS England and NHS improvement continue to review procurement processes to ensure that human trafficking and modern slavery issues are considered at an early stage requiring self-certification from potential suppliers that their supply chains comply with the law.
9. The NHS Long Term plan that was published in 2019 has prevention at its heart, emphasising the move away from a system that simply treats people, into one that also helps to keep people well for longer. The LTP recognises good health is about more than healthcare alone, and that to be implemented effectively the NHS must work in partnership. For this population group this is focusing and on preventing illness and tackling health inequalities that they encounter.
10. As there have been no legal or statutory changes made during 2020/21 only minor changes have been made to the statement.