

REPORT TO THE TRUST BOARD (PUBLIC)

REPORT TITLE	Annual Slavery and Human Trafficking Statement 2021/22
AUTHOR	Kim Graves, Corporate Governance & Compliance Manager
EXECUTIVE SPONSOR	Taff Gidi, Company Secretary & Head of Corporate Affairs
DATE OF MEETING	10 August 2021
PRESENTED FOR	Decision
ITEM PREVIOUSLY CONSIDERED BY	N/A

Presented For: Definitions

Information	For information only. Not to be discussed at meeting unless members have specific questions.
Discussion	For discussion and possibly future decision. This includes items presented for assurance.
Decision	For approval and/or when any other decision is required

PURPOSE OF THE REPORT

This paper provides the Trust's updated annual Slavery and Human Trafficking Statement for Board approval. It details the actions and steps taken to ensure that Modern Slavery and Trafficking does not occur within the Trust.

RISKS RELEVANT TO THE PAPER

Risk ID	Risk Description
	n/a

RISK APPETITE RELEVANT TO THE PAPER

DOMAIN	TRUST RISK APPETITE LEVEL	DESCRIPTION OF RISK APPETITE
Compliance/ Regulatory	Minimal (ALARP) (As little as reasonably possible). Preference for ultra-safe delivery options that have a low degree of inherent risk and only for limited reward potential	Want to be very sure we would win any challenge. Similar situations elsewhere have not breached compliances

THE BOARD IS ASKED TO:

1. Approve the annual Slavery and Human Trafficking Statement 2021/22 and authorise publication on the Trust website.

STRATEGIC GOALS THIS REPORT SUPPORTS *(Check all that apply)*

Delivering outstanding care and experience	<input checked="" type="checkbox"/>
Recruiting developing and retaining our workforce	<input checked="" type="checkbox"/>
Improving and developing our services and infrastructure	<input checked="" type="checkbox"/>
Working together with local health and social care providers	<input checked="" type="checkbox"/>
Delivering financial sustainability	<input checked="" type="checkbox"/>

OTHER IMPLICATIONS OF THE PAPER

Legal/ Regulatory Relevance:	Health and Social Care Act 2008 (Regulated Activities) Regulations 2014: Regulation 17 – Good Governance Modern Slavery Act 2015 Section 54 – Slavery and Human Trafficking Statement
NHS Constitution Delivery	Not applicable
Freedom of Information Release	This report can be released under the Freedom of information Act 2000

Equality and Diversity Implications *(Check all that apply)*

Age	Gender	Ethnicity	Disability	Pregnancy/ Maternity	Marriage/ Civil Partnership	Religion/ Belief	Sexual Orientation	Gender Reassignment
<input checked="" type="checkbox"/>								
<i>Additional comments</i>								

SLAVERY AND HUMAN TRAFFICKING STATEMENT 2021/2022

1. EXECUTIVE SUMMARY

- 1.1 Section 54 of the Modern Slavery Act 2015 requires the Trust to set out the steps the organisation has taken during the financial year to ensure that slavery and human trafficking is not taking place in any of its supply chains, and in any part of its own business. The Trust is also required by the law to declare if no such steps have been taken.
- 1.2 Our Modern Slavery statement outlines the approach we have taken, and continue to take, to make sure that modern slavery or human trafficking is not taking place within our business or supply chain. North West Anglia NHS Foundation Trust has a zero tolerance approach to any form of modern slavery (i.e. slavery, servitude, human trafficking and forced labour).
- 1.3 A slavery and human trafficking statement must be approved by the Board of Directors or equivalent management body and signed by a Director or equivalent officer.
- 1.4 The law also requires the Trust to publish the slavery and human trafficking statement on its website, and include a link to the slavery and human trafficking statement in a prominent place on that website's homepage.

2. OVERVIEW

- 2.1 This statement is made pursuant to Section 54 of the Modern Slavery Act 2015 and sets out the steps that North West Anglia NHS Foundation Trust has taken, and is continuing to take, to make sure that modern slavery or human trafficking is not taking place within our business or supply chain.
- 2.2 Modern slavery encompasses slavery, servitude, human trafficking and forced labour. North West Anglia NHS Foundation 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 put effective systems and controls in place to safeguard against any form of modern slavery taking place within our business or our supply chain.

3. AIM OF THIS STATEMENT

- 3.1 The aim of this statement is to comply with the law and to demonstrate that North West Anglia NHS Foundation Trust follows good practice, and all reasonable steps are taken to prevent modern slavery and human trafficking within our business or supply chain.
- 3.2 All members of staff within the organisation have a personal responsibility for the successful prevention of modern slavery and human trafficking, with the Procurement Department taking a lead responsibility for compliance in the supply chain

4. ABOUT THE ORGANISATION

- 4.1 North West Anglia NHS Foundation Trust is a statutory, not-for-profit, public benefit corporation and runs three main hospitals i.e. Peterborough City Hospital, Hinchingbrooke Hospital and Stamford and Rutland Hospital. In addition, it delivers other services at Doddington Hospital, the Princess of Wales Hospital, Ely and North Cambs Hospital, Wisbech. The Trust provides and develops healthcare according to the core NHS principles: free care, based on need and not ability to pay.
- 4.2 The Trust delivers acute care services to a growing catchment of approximately 850,000 residents living in Cambridgeshire, Lincolnshire and the neighbouring counties of Norfolk and Bedfordshire.
- 4.3 The main purchasers of our Trust's services are Cambridgeshire and Peterborough Clinical Commissioning Group and Lincolnshire Clinical Commissioning Group.
- 4.4 The Trust also services the local population for areas within, East Leicestershire and Rutland Clinical Commissioning Group, Bedfordshire Clinical Commissioning Group and Norfolk and Waveney Clinical Commissioning Group.

5. OUR STAFF

- 5.1 All Trust staff are employed in line with nationally agreed pay frameworks, which even at the minimum hourly rates for Band 1 and 2 are above the National Living Wage and the National Minimum Wage. Any Trust bank workers, agency workers or other interim workers provided by 3rd party arrangements are all paid on agreed rates either linked to national NHS pay rates or are individually agreed based on market rates. All are above the National Living Wage and National Minimum Wage.
- 5.2 Where individuals are employed through third party contractors based on our sites, we have systems and processes in place through our procurement and contract management arrangements to ensure that their employment terms comply with the law. The Trust encourages, rather than requires, contractors who use lower paid workers to pay the National Living Wage.
- 5.3 Our Overseas Recruitment Team have robust systems and processes in place for ensuring that our overseas recruitment complies with modern slavery and human trafficking laws.
- 5.4 We confirm the identities of all new employees and their right to work in the United Kingdom and pay all our employees in line with best practice national guidance. Our Grievance and Dispute Policy and Raising Concerns in a Safe Environment Policy additionally give a platform for our employees to raise concerns about poor working practices.

6. WHISTLEBLOWING

- 6.1 The Trust has a Board approved Freedom to Speak Up Strategy in place which was developed in consultation with staff and the unions.

- 6.2 The Trust also has a Freedom to Speak Up (Raising Concerns in a Safe Environment Policy) which provides a process for investigating any concerns raised by our staff in line with national guidance. Our staff are encouraged to raise concerns without fear of retaliation. The policy also provides for concerns to be raised anonymously, if required. Staff also have the option to escalate concerns to the National Guardian's Office if they are not satisfied with the outcome of the internal investigation.
- 6.3 The Trust has a full time Freedom to Speak Up Guardian to support staff with raising concerns as well as a nominated Non-Executive Director for Speaking Up.
- 6.4 In addition to the National Guardian's Office, the Trust also ensures that staff are aware of other channels for raising concerns externally if required including:
- Prescribed Person under the Public Interest Disclosure (Prescribed Persons) Order 2014 e.g. NHS England and NHS Counter Fraud Authority; and
 - Regulatory bodies e.g. Care Quality Commission.

7. SAFEGUARDING AND AWARENESS TRAINING

- 7.1 The Trust has a specialist Safeguarding Team which supports the organisation to ensure that we have robust safeguarding arrangements across all areas.
- 7.2 Modern Slavery awareness is integrated into our safeguarding policies and training. Awareness is also raised through information sharing on the Trust intranet and on the Trust website. This is to ensure that our staff know how to raise concerns if they suspect modern slavery or human trafficking when interacting with patients, staff or other service users.
- 7.3 Training on modern slavery and human trafficking is available to staff through Trust induction. Further training is also undertaken as part of the Trust's mandatory Safeguarding Adults and Children training programmes including clinical update days with further emphasis delivered within the level 3 training programmes.
- 7.4 The Trust also delivers level 6 training for Board members.
- 7.5 We are continuously looking at ways to increase awareness within our organisation, and to ensure a high level of understanding of the risks involved with modern slavery and human trafficking in our supply chains and in our business.

8. WORKING WITH SUPPLIERS

- 8.1 North West Anglia NHS Foundation Trust has processes for identifying and mitigating risk and putting in place contractual terms which will allow the Trust to gain assurance that slavery and human trafficking have no place in our business or supply chain. The Trust works with suppliers to ensure that they treat their obligations towards modern slavery with the same importance that we do.

- 8.2 Suppliers are vetted through a robust Pre-Qualification Selection Questionnaire prior to being appointed to any contractual agreement that is managed by the Procurement Team. It addresses specific questions around the Modern Slavery Act and any breaches of labour laws would result in disqualification of unsuitable organisations.
- 8.3 All contracts are awarded under the NHS Terms and Conditions which contain clauses giving North West Anglia NHS Foundation Trust the right to terminate a contract for failure to comply with prevailing laws.
- 8.4 When procuring goods and services, we apply NHS Terms and Conditions for procurement of clinical and non-clinical goods and services. The NHS Standard Contract is applied to agreements for commissioning healthcare services for our Clinical Commissioning Groups. Both require compliance with relevant legislation.
- 8.5 The staff of North West Anglia NHS Foundation Trust must contact and work with the Procurement department when looking to engage with new suppliers so appropriate checks can be undertaken.
- 8.6 Where it is verified that a subcontractor has breached child labour laws or human trafficking, then this subcontractor will be excluded in accordance with Regulation 57 of the Public Contracts Regulation 2015. The Trust will require that the main contractor substitute a new subcontractor.
- 8.7 The majority of our Procurement team holds membership of the Chartered Institute of Procurement and Supply (CIPS) and comply with their Code of Professional Conduct.
- 8.8 The Pharmacy service purchases medicines that have been procured through the NHS Commercial Medicines Unit. This NHS body complies with the Trust's Modern Day Slavery statement. Outside of these contractual arrangements the Trust also purchases some small volumes of medicines from specialist suppliers and wholesalers. Each of these companies are subject to the Medicines and Healthcare Products Regulatory Agency oversight and licensing and are therefore also compliant with the Trust statement.

9. REVIEW OF EFFECTIVENESS

- 9.1 In 2020/21, no concerns have been identified by the Trust or brought to the Trust's attention indicating non-compliance with the Modern Slavery Act 2015.
- 9.2 We intend to continue to take further steps to identify, assess and monitor potential risk areas in terms of modern slavery and human trafficking, particularly in our supply chains.
- 9.3 In 2021/22, our anti-slavery programme will include:
- effectively monitoring our contracts and supply chain to ensure that new and existing suppliers are compliant with the Modern Slavery Act 2015;
 - continuing to have robust recruitment systems and processes in place including for overseas recruitment;
 - strengthening our Speaking Up processes to ensure all staff feel confident and safe to raise concerns;

- continuing to deliver safeguarding training and support for all our staff; and
- implementing any new guidance or best practice to further mitigate any risks relating to modern slavery and human trafficking.

10. BOARD APPROVAL

10.1 The Trust Board has considered and approved this statement and will continue to support the requirements of the legislation.

Signed on behalf of the Trust:

Rob Hughes
Chairman
10 August 2021

Caroline Walker
Chief Executive Officer
10 August 2021