

Policy Statement

Modern Slavery is a crime which results in an abhorrent abuse of human rights. The Modern Slavery Act 2015 referred to as the “Act” created offences of slavery, servitude and financial or compulsory labour.

Definitions of Modern Slavery

Slavery, in accordance with the 1926 Slavery Convention, is the status or condition of a person over whom all or any of the powers attaching to the right of ownership are exercised. Since legal ownership of a person is not possible, the key element of slavery is the behaviour on the part of the offender as if he or she did own the person, which deprives the victim of their freedom.

Servitude is the obligation to provide services that is imposed by the use of coercion and includes the obligation of a “Serf” to live on another person’s property and the impossibility of changing his or her condition.

Forced or Compulsory Labour

This is defined in international labour law by the International Labour Organisations (ILO) Forced Labour Convention 29 and Protocol. It involves coercion, either direct threats of violence or more subtle forms of compulsion. The key elements are that, work or service is exacted from any person under the menace of any penalty and for which the person has not offered him/herself voluntarily.

Human Trafficking

An offence of human trafficking requires that a person arranges or facilitates the travel of another person with a view to that person being exploited. The offence can be committed even where the victim consents to travel. This reflects the fact that a victim may be deceived by the promise of a better life or job, or may be a child who is influenced to travel by an adult. In addition, the exploitation of potential victim does not need to have taken place for the offence to be committed. It means that the arranging or facilitating of the movement of the individual was with a view of exploiting them for sexual exploitation or non- sexual exploitation.

Child Labour

This is defined by the ILO as children under 12 years working in any economic activity, those aged 12-14 engaged in more than light work and all children engaged in the worst forms of child labour.

This policy is for adult providers only.

Compliance Requirements

The transparency in supply chains provision within the Act seeks to address the role of businesses, across all sectors preventing Modern Slavery in their supply chains and organisations. The following guidance sets out how businesses can meet these requirements, as set out in the Act.

There is a requirement that any commercial organisation, in any sector, which supplies goods and services, and carries on a business, or part of a business, in the UK and is above a specified

Modern Slavery

total turnover, must produce a slavery and human trafficking statement for each financial year of the organisation.

Regulations have set the total turnover threshold at £36Million

The Statement must set out what steps they have taken during the financial year to ensure Modern Slavery is not occurring in their supply chains and in their own organisations.

The Act requires businesses to be transparent about what is happening within its business, therefore if the business has taken no steps to ensure slavery and human trafficking is not taking place, they must still publish a statement stating this to be the case.

Failure to comply with the production of a Modern Slavery statement for a particular financial year could mean an injunction through the High Court (or In Scotland, court proceedings for specific performance of a statutory duty under Section 45 of the Court of Sessions Act 1998) requiring the organisation to comply. Failure to comply with the injunction is a contempt of a court order which is punishable by an unlimited fine. In practice, failure to comply with the provision will mean the organisation has not produced a statement or published it on their website in the relevant financial year.

Smaller Organisations

Where there is no requirement to produce a statement, organisations are encouraged to voluntarily produce a slavery and human trafficking statement, especially where they are contracting with organisations above the threshold. We, as a small provider may be asked to provide such a statement to commissioners of services, suppliers etc. on our approach to Modern Slavery and find it helpful to have such a statement, hence this policy.

All businesses are encouraged by the Act to be open and transparent about recruitment practices, policies and procedures in relation to Modern Slavery and to take steps that are consistent and proportionate with their sector, size and operational reach.

Reporting

When staff believe there is a possibility of a Modern Slavery situation, they must in the first instance report it to their manager who will then take it forward by reporting it to the helpline 08000121700 or report it online on the Modern Slavery helpline website <https://www.modernslaveryhelpline.org/report>

ENS is committed to ensuring that its staff and any workers it supplies (directly or indirectly) are not subject to behaviour or threats that may amount to modern slavery, human trafficking, forced labour, and similar human rights abuses.

ENS POLICY

ENS provides appropriate training and awareness information for all of its staff. In particular:

- ▶ Our leadership team and/or senior supply chain managers receive detailed training in identifying and resolving concerns around modern slavery and human trafficking.
- ▶ All of our staff receive awareness-raising information around issues involving modern slavery and human trafficking, so that they can bring any concerns they have to the attention of management.
- ▶ Any staff, workers or other parties are strongly encouraged to report any concerns or suspicions that they might have to identify an appropriate contact(s), by name or by role.

Modern Slavery

Reports surrounding these issues are taken extremely seriously by our senior management team, who are committed to ensuring that all investigations shall be prompt and effective. If our investigations reveal any issues, we are committed to taking appropriate action, including but not limited to:

- ▶ Working with the appropriate organisations to improve standards,
- ▶ Removing that organisation from our preferred supplier list,
- ▶ Passing details to appropriate law enforcement bodies.

We regularly monitor our risks in this area through the use of relevant key performance indicators, including:

- ▶ The percentage of suppliers who sign up to an appropriate code / provide their own modern slavery statements,
- ▶ The level of modern slavery training and awareness amongst our office staff.

As part of our efforts in this area, we publish a modern slavery statement on an annual basis.

We would also recommend reading this statement in conjunction with our policies.

Related Guidance

Gov.UK <https://www.gov.uk/government/collections/modern-slavery>

Transparency in supply chains etc. – a practical guide

[https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/649906/Transparency in Supply Chains A Practical Guide 2017.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/649906/Transparency_in_Supply_Chains_A_Practical_Guide_2017.pdf)

Modern Slavery helpline website <https://www.modernslaveryhelpline.org/report>

Gov.UK A call to action to end forced labour, modern slavery and human trafficking

<https://www.gov.uk/government/publications/a-call-to-action-to-end-forced-labour-modern-slavery-and-human-trafficking>

Training Statement

As part of our Induction process staff are aware of the Modern Slavery Act and how to report any concerns. We also train our managers to ensure they understand their responsibilities and are carrying them out. Information and help can be accessed on the phone number and website above.

Related Policies
Adult Safeguarding Confidentiality Data Protection Legislative Framework (GDPR) Good Governance Recruitment and Selection Safeguarding Children in an Adult Setting Whistleblowing Young People and Employment