Your Life Care Solutions Ltd

MODERN SLAVERY

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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 in 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.

The Policy

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 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

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

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
- 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

All staff, during induction are made aware of the organisations policies and procedures, all of which are used for training updates. All policies and procedures are reviewed and amended where necessary and staff are made aware of any changes. Observations are undertaken to check skills and competencies. Various methods of training are used including one to one, on-line, in-house, workbook, group meetings, individual supervisions and external courses are sourced as required.

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.

Guidance for Writing a Statement

- keep it succinct but cover relevant points
- provide links to appropriate publications, documents and policies, including guidance
- use plain English, simple language makes it accessible to everyone
- where appropriate the statement should also be available in other languages or formats
- the statement must be approved and signed by a director, member or partner of the organisation
- the statement must be published on the organisation website, with a link in a prominent place on the Homepage

Information to Include

- the sectors the business operates in and is it seasonal
- organisational structure and group relationships
- the countries it sources its goods or services from, including high risk countries where modern forms of slavery are prevalent
- the business operating model
- relationships, if any, with suppliers and others including trade unions and other bodies representing workers
- relevant organisational policies
- due diligence processes

Examples of a Modern Slavery Statement from businesses over £36Million threshold

http://www.grantthornton.co.uk/about-us/corporate-responsibility/modern-slavery-statement/

www.tescoplc.com/media/392433/modern_slavery_act.pdf

www.somersetcare.co.uk/sites/default/files/website/modern-slavery-act.pdf

www.osjct.co.uk/about-osjct/partner-organisations/modern-slavery-human-trafficking-policy/

Small Businesses

For small businesses such as ours, awareness is the key to ensuring that this policy reflects the standards and ethical considerations we apply to our supply chain.

We have in place

- due diligence checks to identify and assess potential risk areas such as agency staffing
- the monitoring of potential risks in our supply chains by checking our supplier's commitment to Modern Slavery prevention
- a robust recruitment and selection process to mitigate the risks of Modern Slavery entering our workforce

Approval for this statement

This statement was approved by the Director of Care

Name Steve Langford

Date 03/08/2020

Signature 