



Cheshire West and Chester Modern Slavery Victim Referral Pathway Protocol



Modern Slavery Victim Referral Pathway Protocol

Clarifying the roles and responsibilities for agencies responding to adults identified to be victims or at risk of Modern Slavery in Cheshire West and Chester

Introduction:

The Modern Slavery Act 2015 introduced the powers that law enforcement agencies need to pursue, disrupt and bring to justice those engaged in human trafficking and slavery, servitude and forced labour. It also introduced a range of measures to enhance the protection of victims. The difficulties in identifying crimes of modern slavery and the significant barriers for potential victims coming forward are well understood. The Cheshire Modern Slavery Strategy helps inform our approach to ensuring the legislative framework is effective in Cheshire West and Chester.

In Cheshire a number of Police operations have confirmed that acts of Modern Slavery occur in our borough and that services can help support Police operations by working together to help prevent and combat the effects of these crimes. The process of identification can be very challenging, in particular establishing the means and purpose of activities and differentiating in terms of the Act, those adults who are subject to poor or illegal work conditions and those who are victims of Modern slavery through the use of force, control, deception and threat.

This protocol has been produced in order to give clarity to organisations responding to victims identified during police operations or who are identified by other agencies or by the person themselves coming forwards for support who are perceived to be at risk and who may otherwise be considered ineligible or unable to access the support required to protect them.

The protocol makes the following assumptions:

- Agencies are fully conversant with the Modern Slavery Act 2015 and their responsibilities within it
- Each service has identified senior officer leads for Modern Slavery.
- Any suspicion of criminal activity is reported and investigated by the police in order that perpetrators can be held to account.
- Potential victims of Modern Slavery are offered the support of the National Referral Mechanism (NRM) and where this is not taken up, Duty to Notify responsibilities are enacted

This protocol will apply to adult victims in situations where:

- The adult is not identifying themselves as a victim of Modern Slavery and is requesting repatriation, however there is an active criminal investigation into alleged crimes that suggest they may be a victim, potential victim or otherwise at significant risk;

- the adult is identifying themselves as a victim and has refused the support of the National Referral Mechanism
- the adult has been referred to the National Referral Mechanism and there is a delay in providing the support and accommodation

Information Sharing

Sharing of information will be underpinned by the Local Safeguarding Adults Board Protocol in order that effective, safe and appropriate arrangements can be made to victims. Information will be shared between organisations, held at an appropriate level within organisations and delegated on a need to know basis in order to provide appropriate support and to minimise potential risks to victims and others, including staff. Responsibility for delegating information will rest with the senior officers within each service.

Initial response and identifying next steps with the adult

When a potential victim is identified during a Police operation, the Police will need to consider and gain information in the context of their criminal investigation. In relation to this, all the usual considerations will apply including any relevant to the victim's immediate health and safety.

In order to interview the adult, the Police Officers will need to establish any barriers to effective communication including any care and support needs.

- It will be the Police's responsibility to obtain and secure an interpreter where this is required.
- Where there are concerns about the adult's ability to give evidence venerable witness protocols should be followed.
- Where the adult has identified care and support needs, a safeguarding referral must be made.

The Police will try to establish whether an adult is a potential victim of slavery under the Modern Slavery Act. When appropriate the Police will discuss with the adult the National Referral Mechanism (NRM) and where there is eligibility and consent, make a referral. Where the adult will not consent* to a referral but there is concern, the Duty to Notify (DTN) should be made by the police. (* This should not preclude other agencies re-visiting this with the adult, as appropriate, subsequently).

Notifying other agencies

The Police will make arrangements to notify Housing Services and Adult Social Care as soon as a victim is identified under this protocol.

Adult Social Care will be notified by contacting the Community Access Team (office hours) 0300 123 7034. Housing Support may be contacted directly in working hours or in an emergency the Out of Hours Service (01244 977277)

The nominated senior Police lead will also inform the nominated leads for Housing and Adult Social Care of the incident.

Agency Responsibilities:

Police

When the adults' wishes and feelings have been established in relation to acceptance of support and local support arrangements are required, the Police will need to initiate appropriate next steps. When there is a referral to the National Referral Mechanism and this is accepted, support will be activated as soon as is possible. Whilst a safe transfer can usually be undertaken the same day, this might not always be the case. If the National Referral Mechanism arrangements are immediate, it will normally be the Police's responsibility to arrange a safe transfer.

Where there is to be a delay in accessing National Referral Mechanism support, or the adult has requested repatriation (or other support) the Police will need to refer to Adult Social Care and Housing Support Services in order that interim arrangements can be made to provide the necessary support.

This will not be limited to but is likely to include:

- Accommodation
- Care or support coordination
- Emergency clothing
- Food
- Travel including repatriation
- Support to access health services

Housing Options

Housing Options would provide emergency accommodation to ensure that the adult has basic accommodation and would also refer to the NRM at the earliest opportunity. The location and type of accommodation should take into account accessibility and practicality in relation to ongoing support/Police enquiries and the risks posed to the adult. The usual (default) offer would be Bed and Breakfast.

(It is recognised that this is not ideal as without any onsite support, the adult may be isolated and vulnerable) Arrangements should be made so this can be accessed for a sufficient period as is likely to be required, or until an agreed review point and should not be commissioned on a day to day basis which results in the adult having to vacate their room without any follow on accommodation being secured.

Wherever practicable Housing Options or Social Care will also provide basic welcome packs for the victims.

Where the adult has requested to be repatriated and the Police have confirmed that this would not interfere with criminal processes, Housing Options will arrange the repatriation.

Where accommodation and support is to be provided under the NRM in another area, Adult Social Care will arrange a transfer to the care of the NRM to ensure that the vulnerable individual is escorted to the new location.

Adult Social Care

Adult Social Care will provide a care support package which will involve wherever possible and practicable, direct face to face contact under the principles of Safeguarding Adults and making Safeguarding Personal in order to establish/check the adults wishes and desired outcomes and to establish any welfare needs, using a translator when required. It will be the responsibility of Adult Social Care to ensure that basic needs can be met within the support arrangements and access to any necessary support service is considered. This may include the provision of cash or other arrangements to meet essential needs and should include consideration of the welfare support available, including from regional third sector support organisations. This should take into account the adults vulnerability whilst in the transitional accommodation and need for assurance and direct support.

This support is time limited where the adult does not have care and support needs under the Care Act 2014, and alternative arrangements should be made within 10 days of receiving the referral.

Children Social Care and Early Help and Prevention

Where a child or young person is identified as a victim or associated with a victim during a police operation, initial contact (during office hours) should be made with the Integrated Children's Front Door in relation to Early Help and Prevention and Children's Social Care; the Integrated Access and Referral Team (iART) on 0300 123 7047 (office hours), who will be able to provide advice, information and help, including, the provision of appropriate support where the child or young person is considered vulnerable or at risk of harm. There are daily risk discussions with the police which will capture any concerns where further discussion between iART and police is required.

[Pan Cheshire Child Trafficking Protocol](#) outlines the action that professionals should take if they are concerned that a child has been, or is at risk of being, trafficked. Consideration can also be given to the completion of a Child Exploitation Tool to explore the impact upon the child.

Health Support

Where victims of modern slavery require support from Health Services, Adult Social Care will contact the relevant safeguarding Lead Nurse in the relevant Health Authority Area. Adult Social Care will provide contact details for adult victims.

Neighbourhoods in Cheshire West and Chester

Where there is notice of a likelihood of a group of victims being identified, the Emergency Planning Team of the Council will identify the most suitable accommodation available to act as a reception centre. Local Modern Slavery leads

identified through Cheshire West Anti-Slavery network will liaise to provide stand by or on site support on a case by case basis. Cheshire Police's Modern Slavery Unit also maintains these details.

HM Revenue and Customs (HMRC)

HMRC is committed to the cross government strategy to tackle modern slavery. While HMRC is not a 'first responder', it can use its wider enforcement powers around taxation, benefits and credits and the National Minimum Wage to target the activities of those who perpetuate these appalling crimes by going after the one thing they hold dear – their finances.

An exploitative employer of illegal workers is unlikely to be keeping their tax affairs in order, while employers who pay their workers less than the National Minimum Wage could be committing welfare fraud. HMRC is well placed to disrupt this activity, helping stop modern slavery in its tracks.

If you believe you have any information that would be of interest to HMRC then contact our Illegal Working and Modern Slavery Team via their dedicated email inbox: mailbox.illegalworking/modernslaveryreferrals@hmrc.gsi.gov.uk

Statutory Reporting

All concerns regarding Modern Slavery should be logged on the internal client database and reported in the quarterly return via the Adult Safeguarding Unit.

Useful Contacts

Cheshire West and Chester Community Access Team for safeguarding referrals concerning adults

0300 123 7034 office hours

Cheshire West and Chester Integrated Access and Referral Team (iART) for safeguarding referrals concerning children

0300 123 7047 office hours

Housing Options Advice Line - 0300 123 2442 Cheshire Police

General Number: 101

Emergency: 999

Modern Slavery Coordinator: Lisa Wilson: 01606 365831 (office hours only)

Cheshire Anti-Slavery Network

Email: info@cheshireantislaverynetwork.org.uk

Website: <http://cheshireantislaverynetwork.org.uk/>

Sexual Health

Website: <https://www.thesexualhealthhub.co.uk/services-near-you/cheshire-west-and-chester/>

WDP Cheshire West and Chester (Drug and Alcohol Service) - 0300 303 4549

Email address: info.cwac@wdp.org.uk

Website: <https://www.wdp.org.uk/find-us/cheshire-west-and-chester>

The YP service page is: <http://www.wdpyoungpeople.org.uk/cwc-young-peoplesdrug-and-alcohol-service/>