

TrainPlus Staff Policy

Human Trafficking and Anti-Slavery Policy

Lead Responsibility	Lisa Short	Approved by	TrainPlus Directors; Lisa Short
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Policy applicable to	ALL EMPLOYEES and FREELANCE STAFF		

Human Trafficking and Anti-Slavery Policy

1. Introduction

This policy applies to all persons working for us or on our behalf in any capacity, including employees at all levels. TrainPlus Ltd strictly prohibits the use of modern slavery and human trafficking in our operations. We have and will continue to be committed to implementing systems and controls aimed at ensuring that modern slavery is not taking place anywhere within our organisation in line with the Modern Slavery Act 2015.

2. Modern Slavery and Human Trafficking

Modern slavery is a term used to encompass slavery, servitude, forced and compulsory labour, bonded and child labour and human trafficking. Human trafficking is where a person arranges or facilitates the travel of another person with a view to that person being exploited. Modern slavery is a crime and a violation of fundamental human rights.

The components of modern slavery

Human trafficking

For a person to have been a victim of human trafficking there must have been:

- action (recruitment, transportation, transfer, harbouring or receipt, which can include either domestic or cross-border movement)
- means (threat or use of force, coercion, abduction, fraud, deception, abuse of power or vulnerability - however, there does not need to be a means used for children as they are not able to give informed consent)
- purpose of exploitation (eg sexual exploitation, forced labour or domestic servitude, slavery, removal of organs)

Slavery, servitude and forced or compulsory labour

For a person to have been a victim of slavery, servitude and forced or compulsory labour there must have been:

- means (being held, either physically or through threat of penalty – eg threat or use of force, coercion, abduction, fraud, deception, abuse of power or vulnerability. However, there does not need to be a means used for children as they are not able to give informed consent)
- service (an individual provides a service for benefit, eg begging, sexual services, manual labour, domestic service)

Forced or compulsory labour may be present in trafficking cases. However, not every person who is exploited through forced labour has been trafficked.

There will be cases of exploitation that do not meet the threshold for modern slavery – for example someone may choose to work for less than the national minimum wage, or in undesirable conditions, without being forced or deceived. These cases should not be referred into the NRM but you may want to refer them to the police.

Alternatively, you can contact the pay and work rights helpline for more information on 0300 123 1100, or the Gangmasters Labour Abuse Authority on 0800 432 0804.

3. Commitments

We are a company that expects everyone working with us or on our behalf to support and uphold the following measures to safeguard against modern slavery:

- We have a zero-tolerance approach to modern slavery in our organisation.
- The prevention, detection and reporting of modern slavery in any part of our organisation is the responsibility of all those working for us or on our behalf. Workers must not engage in, facilitate, or fail to report any activity that might lead to, or suggest, a breach of this policy.
- We are committed to engaging with our stakeholders to address the risk of modern slavery in our operations.
- If we find that other individuals or organisations working on our behalf have breached this policy, we will ensure that we take appropriate action. This may range from considering the possibility of breaches being remediated and whether that might represent the best outcome for those individuals impacted by the breach to terminating such relationships

3. Procedure

If a member of staff is made aware or suspects that a learner is a subject of Modern Slavery or Human Trafficking, then the safeguarding procedure must be implemented.

Once the Safeguarding concern has been raised, this will be reviewed by the Designated Safeguarding Lead.

It is the responsibility of the Designated Safeguarding Lead to report the concern to a First Responder Organisation who will follow the National Referral Mechanism as detailed below.

4. Reporting the Concern

What the National Referral Mechanism is

The National Referral Mechanism (NRM) is a framework for identifying and referring potential victims of modern slavery and ensuring they receive the appropriate support.

Modern slavery is a complex crime and may involve multiple forms of exploitation. It encompasses:

- human trafficking
- slavery, servitude, and forced or compulsory labour

An individual could have been a victim of human trafficking and/or slavery, servitude and forced or compulsory labour.

Victims may not be aware that they are being trafficked or exploited, and may have consented to elements of their exploitation, or accepted their situation. If you think that modern slavery has taken place, the case should be referred to the NRM so that the Single Competent Authority (SCA) can fully consider the case. You do not need to be certain that someone is a victim.

5. First responder organisations

A 'first responder organisation' is, in England and Wales, an authority that is authorised to refer a potential victim of modern slavery into the National Referral Mechanism. The current statutory and non-statutory first responder organisations are:

- police forces
- certain parts of the Home Office:
 - UK Visas and Immigration
 - Border Force
 - Immigration Enforcement
- National Crime Agency
- local authorities
- Gangmasters and Labour Abuse Authority (GLAA)
- health and social care trusts (Northern Ireland)
- Salvation Army
- Migrant Help
- Medaille Trust
- Kalayaan
- Barnardo's
- Unseen
- Tara Project (Scotland)
- NSPCC (CTAC)
- BAWSO

- New Pathways
- Refugee Council

First responder organisations have the following responsibilities. These responsibilities are invested in the organisation and it is for the organisation to decide how it will discharge these responsibilities:

- identify potential victims of modern slavery and recognise the indicators of modern slavery
- gather information in order to understand what has happened to them
- refer victims into the NRM via the online process or via the archived paper referral form in exceptional cases (in England and Wales this includes notifying the Home Office if an adult victim doesn't consent to being referred)
- provide a point of contact for the SCA to assist with the Reasonable and Conclusive Grounds decisions and to request a reconsideration where a first responder believes it is appropriate to do so

A first responder is an individual working at a first responder Organisation that is involved in discharging one of the duties of the organisation listed above.