

This briefing summarises the findings and learning outcomes of a SAB multi-agency audit of Modern Slavery cases in February 2018.

Staff in all SAB partner agencies working with adults with care and support needs are encouraged to read the briefing and discuss it in their team meetings.

Background to the audit:

This multi-agency audit was conducted by East Sussex Safeguarding Adults Board (SAB) as part of an initiative by the Sussex Modern Slavery Network. It was agreed that a multi-agency audit would be conducted by all three Sussex Safeguarding Adults Boards to assess whether the needs of adults with care and support needs, who are known or suspected to be victims of modern slavery are appropriately addressed. This was the first audit to be conducted.

The audit was planned and conducted by the SAB Performance Quality & Audit (PQA) sub group. The multi-agency audit group comprised representatives of Adult Social Care & Health (ASCH), Sussex Partnership NHS Foundation Trust (SPFT), East Sussex Healthcare Trust (ESHT), East Sussex Clinical Commissioning Groups (CCGs), Sussex Police, East Sussex Drug & Alcohol Recovery Service (STAR) and the East Sussex Safer Communities Partnership. The audit looked at four cases where there was suspected Modern Slavery, including cases involving suspected forced drug dealing, human trafficking and sexual exploitation and financial exploitation/benefit fraud.

In each case the audit considered agencies' responses to each case and assessed effectiveness in the following areas:

- Assessment, Planning & Intervention.
- Multi-agency/Partnership Working including Information Sharing.
- Involvement of the client.
- Management Oversight & Supervision.
- Professionals' understanding of Modern Slavery, and extent of professional curiosity.

What is working well?

- ✓ Good multi-agency working to quickly address immediate risk; in one case a woman at risk of sexual exploitation was helped to return to her home country
- ✓ Good professional curiosity e.g. a non-statutory safeguarding enquiry was successfully used to manage risk, despite the three key tests not being met – see explanation on page 3 of this briefing
- ✓ Good examples of client involvement in safeguarding plans especially in one case where the client was involved in planning safety measures including CCTV installation
- ✓ Appropriate referrals and good support provided in relation to substance misuse in a case of suspected forced drug dealing, e.g a referral by Sussex Police to STAR and subsequent support
- ✓ Good provision of translation services where required

The audit group made several recommendations for improvement and development including:

- Improved information about modern slavery for staff and the public at strategic locations including leaflets in other languages.
- Relevant training to be made available to staff in all agencies. The SAB Training and Workforce Development subgroup, in partnership with the Safer Communities Board, is developing multi-agency Modern Slavery and Human Trafficking training, which SAB partner agencies and Safer Communities Partnership organisations will be encouraged to attend.
- The audit recommended that all partner agencies should consider identifying a designated Modern Slavery Single Point of Contact (SPOC) in their organisations. The Safer Communities Partnership has developed a role description and is working with partner agencies to identify the most appropriate contact in each organisation.
- Raising awareness of the 'Duty to Notify' and the National Referral Mechanism (NRM) – You can find out more about both of these processes by reading this briefing and using the links to get more information.
- The audit has resulted in changes to the safeguarding adults pathway guidance in Adult Social Care & Health including additional prompts to ensure that the NRM and MS1 (anonymous reporting) processes are considered when referrals regarding modern slavery are received.
- Recommendations to improve information sharing between SAB partner agencies and Primary Care in relation to Modern Slavery.

An action plan to implement the above recommendations is being monitored by the PQA Subgroup.

What is Modern Slavery?

The term Modern Slavery captures a whole range of types of exploitation, many of which occur together. These include but are not limited to:

- Sexual exploitation
- Forced labour
- Forced marriage
- Domestic servitude
- Criminal exploitation
- Forced organ removal
- Forced criminality
- Forced begging
- Forced benefit fraud
- Illegal adoption

Victims of modern slavery are unable to leave their situation of exploitation, controlled by threats, punishment, violence, coercion and deception. Slavery violates human rights, denying people of their right to life, freedom and security. Someone is in slavery if they are:

- forced to work – through coercion, or mental or physical threat;
- owned or controlled by an 'employer', through mental or physical abuse or the threat of abuse;
- dehumanised, treated as a commodity or bought and sold as 'property';
- physically constrained or have restrictions placed on their freedom of movement.



You can also contact the **Modern Slavery Helpline** on 08000 121 700 for advice

The [Safe in East Sussex](#) website is a good starting point for information about Modern Slavery. Here you will find advice about how to recognise modern slavery including Home Office videos and a helpful [communications resource pack](#) which provides a one stop shop of information available to share and distribute within your own organisations and with the wider public to raise awareness of modern slavery and to support adults who may be at risk in protecting themselves from abuse.

There is a range of [Home Office leaflets](#) in different languages offering help and advice to people who think they may be victims of modern slavery.

You can report modern slavery in the following ways:

- [Online](#)
- By calling 101

Modern slavery is a **type of abuse** as defined by the Care Act. Regardless of whether the police are involved you should also consider raising a safeguarding concern with the local authority. Further information about the safeguarding referral process is included on the next page

The Duty to Notify

From 1 November 2015, specified public authorities have a duty to notify the Secretary of State of any individual encountered in England and Wales who they believe is a suspected victim of slavery or human trafficking. **The duty applies to all police forces and local authorities.** Other organisations, including NGOs, are also encouraged to put forward notifications where they encounter a potential victim of modern slavery who does not want to enter the National Referral Mechanism (NRM). Please click [here](#) for further guidance including information that must be provided when reporting as set out in the Modern Slavery Act 2015.

Further guidance for those who have a duty to notify

The National Referral Mechanism

The National Referral Mechanism (NRM) is a framework for identifying victims of human trafficking or modern slavery and ensuring they receive the appropriate support. The NRM also helps to collect data about victims and contributes to building a clearer picture about the scope of human trafficking and modern slavery in the UK. The NRM grants a minimum 45-day reflection and recovery period for victims of human trafficking or modern slavery. Trained decision makers decide whether individuals referred to them should be considered to be victims of trafficking according to the definition in the Council of Europe Convention. In England and Wales, further consideration is made to those who do not meet the definition of trafficking. Their cases are then considered against the definitions of slavery, servitude and forced or compulsory labour.

A referral under the NRM should be made if the victim is an adult and consents to provide their personal details and would like to receive government funded specialist support or for a child victim (where consent is not needed). You can find the relevant NRM referral forms and guidance [here](#).

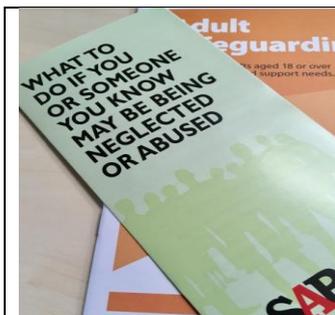
The MS1 form

If the potential adult victim wants to remain anonymous and does not want specialist support (or if you are not able to contact the potential victim and do not know their personal details) an [MS1 form](#) should be completed. This provides data about the prevalence of modern slavery.

Please note that NRM reform is under way and may take up to 12 months. To read more about the NRM process and to keep up to date with future changes please visit the [NRM website](#).

Should a safeguarding concern be raised?

Anybody can raise a safeguarding concern for themselves or for another person. If any person has a reasonable cause to believe that an adult has needs for care and support and may be experiencing, or is at risk of or abuse or neglect, and is unable to protect themselves from that abuse or neglect because of their care and support needs, a safeguarding concern should always be raised with the local authority, in addition to notifying the police.



East Sussex County Council

Call Health and Social Care Connect on 0345 60 80 191

Email: HSCC@eastsussex.gov.uk

West Sussex County Council

Call Adults' Care Point on 01243 642 121

Email: adults.carepoint@westsussex.gov.uk

Brighton and Hove City Council

Call the Access Point on 01273 295 555

Email: accesspoint@brighton-hove.gov.uk

Under Section 42 of the Care Act, the local authority has safeguarding duties to an adult who:

- has needs for care and support (whether or not the authority is meeting any of those needs),
- is experiencing, or at risk of, abuse or neglect,
- as a result of those care and support needs is unable to protect themselves from either the risk of, or the experience of abuse or neglect.

These are referred to as the 'three key tests' If these tests are met the local authority has a legal duty under Section 42 to make enquiries or cause others to do so. Concerns that do not meet the threshold for a Section 42 enquiry may be resolved through other actions, for example an assessment of care and support needs, or passing information on to another agency. If the three key tests are not met the local authority may undertake an enquiry at its own discretion, where there is significant risk and it is proportionate to do so. In all cases involving modern slavery and/or human trafficking, attempts will be made to liaise with the referrer, the Police and other agencies to establish who is best placed to discuss support options, including which agency will complete an NRM referral, or MS1 notification as appropriate.

Supporting people who may be experiencing or at risk of modern slavery

The effect of controlling or coercive behaviour

Making Safeguarding Personal places the adult who is at risk of abuse at the centre of any safeguarding enquiry, so that they can determine the outcomes they want to achieve.

However, it is important to be aware of the effects that controlling or coercive behaviour may be having on the adult who is the subject of the safeguarding concern. They may be subordinate to and/or dependent on the person causing the abuse and isolated from other sources of support. This can undermine their resilience, confidence and independence.

Adults who are subject to coercion and control may be reluctant to engage with support, report concerns, or co-operate with safeguarding enquiries and this should be taken into account when considering the most appropriate course of action.

Multi-agency responses and managing complex cases

One of the key features of the audit was the importance of effective multi-agency responses. A co-ordinated approach is especially important when the adult involved has multiple and complex support needs and may be known to a number of different agencies.

Multi-agency safeguarding meetings whether part of a Section 42 enquiry or not, can help with:

- Co-ordination of risk assessment and safety planning
- Co-ordinating criminal investigations and safeguarding enquiries
- Identifying the person best placed to communicate with adults who may be reluctant to engage

Refer to the [Sussex Safeguarding Adults Policy and Procedures](#) for further guidance.

Where can I find out more?

- [Sussex Safeguarding Adults Policy and Procedures](#)
- [East Sussex Safer Communities Partnership](#)
- [Local Government Association guidance for council staff](#)
- [Home Office Modern Slavery publications](#)
- [UN Human Trafficking Indicators](#)
- [Stop The Traffik](#)
- [Sussex Police Modern Slavery guidance](#)
- [Home Office Modern Slavery Training Resource](#)
- [Modern Slavery Awareness & Victim Identification Guidance Booklet](#)
- [The Modern Slavery Helpline 08000 121 700](#)
- [The East Sussex Learning Portal](#) offers a range of learning opportunities, including safeguarding training, to East Sussex County Council employees and those from partner agencies and other local organisations. The Safer Communities Partnership have been developing a bespoke Modern Slavery e-learning module with Workforce Development and this should be available shortly.

To make the most of the links to further information and resources in this briefing it is best viewed electronically. To request an electronic copy please e-mail george.coleby@eastsussex.gov.uk

