



Modern Slavery Toolkit

November 2021

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Policy Summary

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This Modern Slavery Toolkit has been based on the Pan Lancashire Anti-Slavery Partnership Modern Slavery Toolkit. We would like to acknowledge the use of this document in producing the Halton Modern Slavery Toolkit.

Introduction

This document aims to explain what Modern Slavery and Human Trafficking are and how everyone in the borough can help tackle this complex and hidden crime. We may not be able to eradicate it completely, but we can make it more difficult for criminals who exploit others for their own personal gain.

We want everyone to know how to recognise Modern Slavery and Human Trafficking and have the confidence to report it, to ensure the victims are supported and criminals are brought to justice.

This toolkit should be used in conjunction with Halton's Safeguarding Policy and Procedures, which can be found on the following link:

<https://adult.haltonsafeguarding.co.uk/professionals/>

1. What is Modern Slavery?

Modern Slavery is illegal and encompasses slavery, human trafficking, forced labour and domestic servitude. Traffickers and slave masters use whatever means they have to coerce, deceive and force individuals into a life of abuse, servitude and inhumane treatment.

A person commits an offence if:

- ❖ **The person holds another person in slavery or servitude and the circumstances are such that the person knows or ought to know that the other person is held in slavery servitude**

Or

- ❖ **The person requires another person to perform forced or compulsory labour and the circumstances are such that the person knows or ought to know that the other person is being required to perform forced or compulsory labour**

The following section provides a pathway and detailed guidance of what to do in the event you have a disclosure of modern slavery or you recognise someone may be a victim of modern slavery.

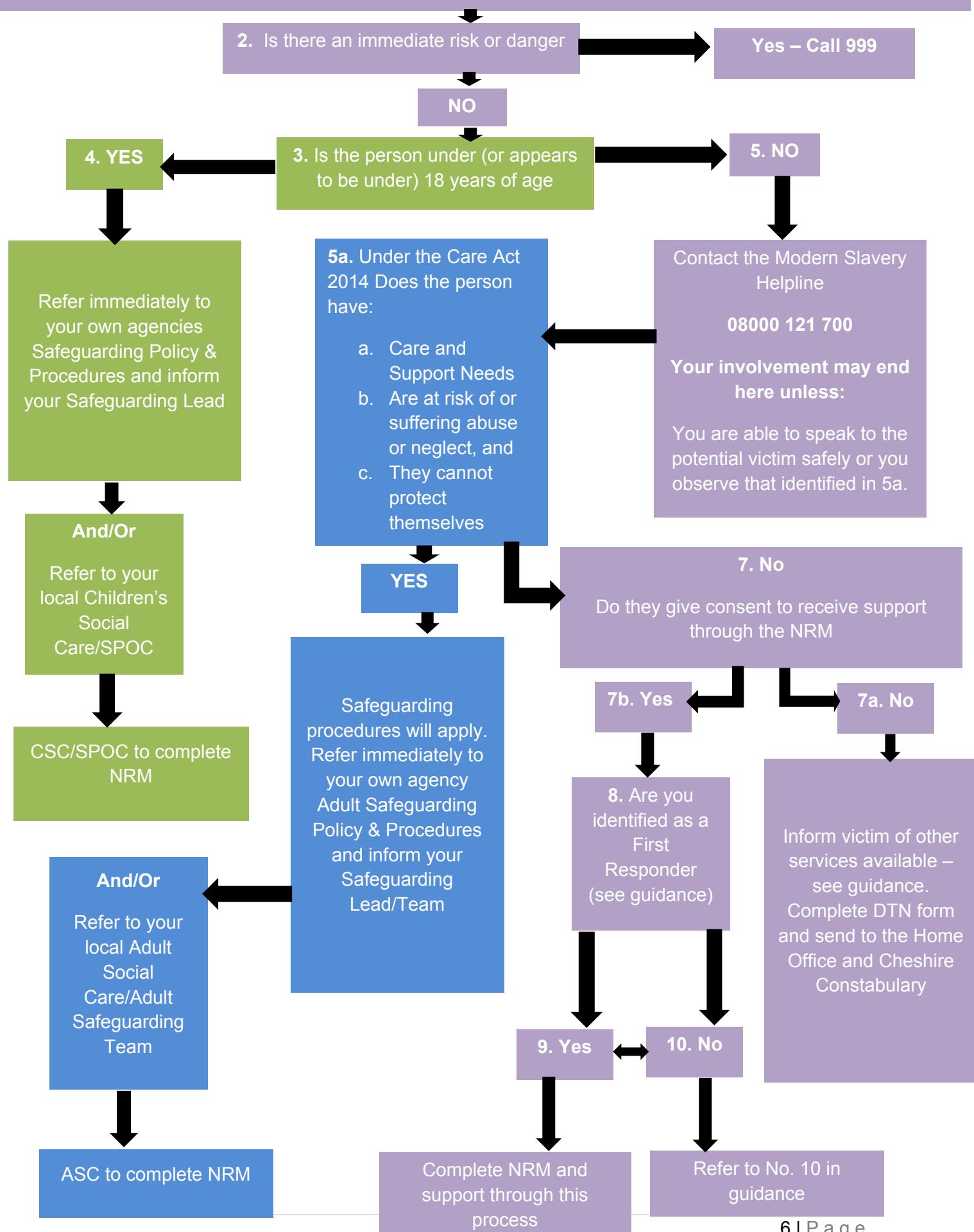
Please note, the HBC Suspected Modern Slavery & National Referral Mechanism Process Map is also included in the Appendices section of this toolkit for ease of reference.



Suspected Modern Slavery & National Referral Mechanism Process Map based on the Newham Modern Slavery Model

Referral Pathway for Victims of Modern Slavery & Human Trafficking

1. Any person has reasonable grounds to suspect a person may be the victim of Modern Slavery or Human Trafficking



2. Guidance to the Modern Slavery & Human Trafficking Pathway

1.	Trust your instinct – you only have to have reason to believe someone may be a victim, you don't have to prove it
2.	Risk Assessment – In emergency cases and there is an immediate threat or emergency medical treatment is needed or the victim is still in the place of exploitation please call 999
3.	Does the victim say they are (or appears to be under) 18 years of age then follow step 4, if not, follow step 5
4.	<p>Organisations will have their own safeguarding procedures to follow.</p> <p>In the first instance, contact your Safeguarding Lead/Team who will take details and refer to Children's Social Care.</p> <p>If you are not a member of an organisation then you need to contact Children's Social Care directly and immediately, giving as much information as you can.</p> <p>Children's Social Care will complete the National Referral Mechanism (NRM) and ensure the child/young person is protected from further abuse</p> <p>Children Social Care: 0151 907 8305 Emergency Duty Team: 0345 050 0148</p>
5.	<p>If you are unable to speak to the potential victim contact the Modern Slavery Helpline and report your suspicions with as much detail as possible on 08000 121 700</p> <p><i>At this point this may be the end of your involvement unless you can speak to the person or identify anything as outlined in 5a:</i></p> <p>If it is safe to do so, have a conversation with the person. Use an approved interpreter/language line – do not use anyone accompanying them</p>
5a.	<p>The Care Act 2014 is quite clear about the criteria to be met for adult safeguarding and many victims of modern slavery do not have care and support needs* (e.g. they are able to care for themselves despite the situation they are in). Victims are also able to make decisions for themselves under the Mental Capacity Act even though exploitation involves coercion and control.</p> <p><i>However, if through conversation and/or from observation the potential victim does appear to have care and support needs or lacks the mental capacity to make an informed decision themselves then follow step 6, otherwise, follow step 7 onwards.</i></p> <p>*People who are in need of practical support to enable them to live as well as possible with any illness or disability they may have</p>

6.	<p>Organisations will have their own safeguarding procedures to follow. In the first instance, contact your Safeguarding Lead/Team who will take details and refer to Adult Social Care.</p> <p>If you are not a member of an organisation, then you need to contact Adult Social care immediately and give as much information as you can.</p> <p>Adult Social Care will complete the National Referral Mechanism (NRM) and ensure the adult is protected from further abuse by working with adult and support services via an initial risk assessment and a safeguarding strategy discussion meeting. is this right for Halton?</p> <p>Adult Social Care: 0151 907 8306 Emergency Duty Team: 0345 050 0148</p>
7.	<p>Victims of modern slavery are potentially victims of crime but they still have to give consent to receive support through the NRM and you must obtain consent to refer them for that support.</p>
7a.	<p>If the potential victim does not give consent to have their details given to the NRM, inform them there are other services that can support them. They or you can contact the Modern Slavery Helpline in the first instance: 08000 121 700</p> <p>Inform the victim that by contacting the helpline they will receive support through services who can assist in housing, immigration, benefits, health care etc. (often victims can then be supported into the NRM process).</p> <p>All staff in statutory and non-statutory settings are requested to complete the Duty to Notify Form with as much information as possible (this must not contain the personal victims details if they do not wish them to be used) and send to:</p> <p>The Home Office: dutytonotify@homeoffice.gsi.gov.uk Do we send a copy to Cheshire Police and if so what email address??</p> <p>Alternatively if your organisation has a Safeguarding Lead/Team please inform them and they may complete this on your behalf – refer to your own internal procedures. Do we want this in?</p> <p>The Duty to Notify Form is included in the Appendices of this document</p>
7b.	<p>If the potential victim is willing to receive support this opportunity is through the National Referral Mechanism (NRM) following consent. See Steps 8 & 9.</p>
8. & 9.	<p>Firstly consider are you identified as a First Responder as only members of the following organisations can refer potential victims of Modern Slavery to the NRM:</p>

	First Responders	Contact Number (where applicable)
	Cheshire Constabulary	Report non-urgent cases on 101
	UK Border Agency	Immigration Enforcement: 0300 123 7000 Home Office General Enquiries: 020 7035 4848
	Immigration and Visas	0300 123 2241
	Gangmasters Labour Abuse Authority (GLAA)	0345 602 5020 (General Enquiries)
	Local Authorities (this only applies to Social Care professionals)	Adult Social Care: 0151 907 8306 Children's Social Care: 0151 907 8305 Emergency Duty Team: 0345 050 0148
	Salvation Army	0300 303 8151 (24 hour helpline)
	Barnados	0208 550 8822 (General Enquiries)
	Unseen	0303 040 2888 (General Enquiries)
	NSPCC (Child Trafficking Advice Centre)	0808 800 5000
	Refugee Council	0207 3466 700 (General Enquiries)
	Medaille Trust	0161 817 2260
NRM forms should be sent to: nrm@nca.x.gsi.gov.uk		
8. & 10.	<p>If you are not a first responder but you have a Safeguarding Lead/Team in your agency, please contact them in the first instance immediately.</p> <p>If you do not have a Safeguarding Lead/Team you can contact any of the First Responders above but we recommend you contact the Modern Slavery Helpline in the first instance: 08000 121 700</p>	

3. Modern Slavery Legislation

There are many different characteristics that distinguish slavery from other human rights violations, however, only one needs to be present for slavery to exist.
Someone is in slavery if they are:

- ❖ **Forced to work – through mental or physical threat**
- ❖ **Owned or controlled by an ‘employer’, usually through mental or physical abuse or the threat of abuse**
- ❖ **Dehumanised, treated as a commodity or bought and sold as ‘property’**
- ❖ **Physically constrained or has restrictions placed on his/her freedom of movement**
- ❖ **Human trafficking**

Contemporary slavery takes various forms and affects people of all ages, gender and races. Adults who are enslaved are not always subject to human trafficking. Recent court cases have found homeless adults, promised paid work opportunities enslaved and forced to work and live in dehumanised conditions, and adults with learning difficulties restricted in their movements and threatened to hand over their finances and work for no gains.

Human trafficking is the movement of a person from one place to another, using methods of deception, coercion, the abuse of power or of someone’s vulnerability and for the purposes of exploitation. It is possible to be a victim of trafficking even if their consent has been given to being moved. Human trafficking may occur across international borders or take place within one country.

Specified public authorities have a duty to notify the Secretary of State of any individual identified in England or Wales, as a suspected victim of slavery or human trafficking under [Section 52 of the Modern Slavery Act 2015](#).

Halton Borough Council promotes that all those who meet a potential victim, complete the Duty to Notify Form (if the victim is unwilling to be supported through the National Referral Mechanism).

There are three components to human trafficking:

The Act (or action)	Recruitment, transfer, transportation, harbouring or receipt of persons
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The Means	Threat or use of force, coercion, abduction, fraud, deception, abuse of power or position of vulnerability, giving or receiving of payments or benefits used to control a person
The Purpose (exploitation)	To exploit a person through prostitution, other forms of sexual exploitation, forced labour or services, forced criminality, slavery, servitude or removal of organs from a person



4. How can you identify victims of modern slavery?

Identifying Victims

- ❖ Is the victim in possession of a passport, identification or travel documents? Are these documents in the possession of someone else?
- ❖ Does the victim act as if they were instructed, or coached by someone else?

Sexual Exploitation

Please be aware that ordinary residential houses/hotels are being used more and more as brothels. People forced into sexual exploitation may:

- ❖ Be moved between brothels, sometimes from city to city
- ❖ Sleeping on work premises
- ❖ Display a limited amount of clothing, of which a large proportion is sexual
- ❖ Display substance misuse
- ❖ Be forced, intimidated or coerced into provided sexual services
- ❖ Be subjected to abduction, assault or rape
- ❖ Be unable to travel freely e.g. picked up and dropped off at work location by another person
- ❖ Have money for their services provided collected by another person



Forced Labour

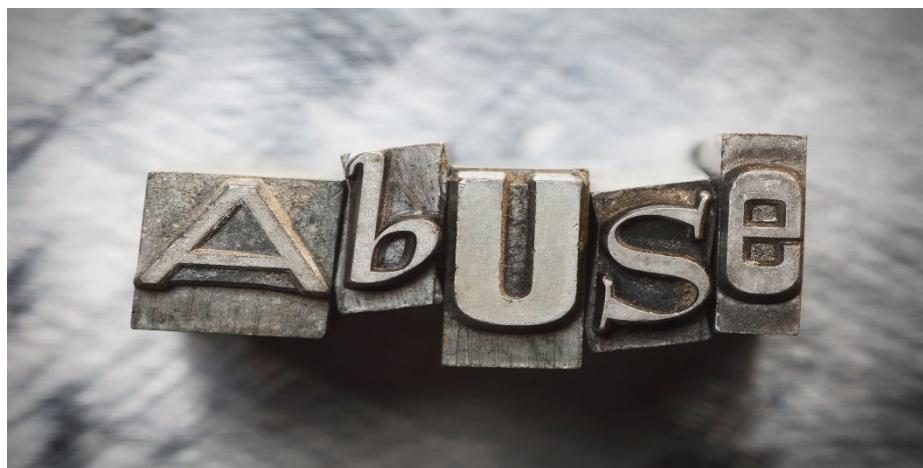
Where all the work is done under the menace of a penalty or the person has not offered themselves voluntarily and is now unable to leave. They may experience:

- ❖ Threat or actual physical harm
- ❖ Restriction of movement or confinement
- ❖ Debt bondage i.e. working to pay off a debt or loan, often the victim is paid very little or nothing at all for their services because of deductions
- ❖ Withholding of wages or excessive wage deductions
- ❖ Withholding of documents e.g. passport/security card
- ❖ Threat of revealing to authorities an irregular immigration status
- ❖ Their employer is unable to produce documents required
- ❖ Poor or non-existent health and safety standards
- ❖ Requirement to pay for tools or food
- ❖ Imposed place of accommodation (and deductions made for it)
- ❖ Pay that is less than minimum wage
- ❖ Dependence on employer for services
- ❖ No access to labour contract
- ❖ Excessive work hours/few breaks

Child Abuse/Exploitation

You may notice that a child/young person that is:

- ❖ Often going missing/truanting
- ❖ Secretive
- ❖ Has unexplained money/presents
- ❖ Experimenting with drugs/alcohol
- ❖ Associated with/being groomed by older people (not in normal networks)
- ❖ In relationships with significantly older people
- ❖ Taking part in social activities with no plausible explanation
- ❖ Seen entering or leaving vehicles with unknown adults
- ❖ Showing evidence of physical/sexual assault (including Sexual Transmitted Infections)



Criminal Activities

The person is recruited and forced/deceived into conducting some form of criminal activity such as pick pocketing, begging, cannabis cultivation and benefit fraud.

Same indicators as forced labour but for cannabis cultivation you may also notice:

- ❖ Windows of a property are permanently covered from the inside
- ❖ Visits to the property at unusual times
- ❖ Property may be residential
- ❖ Unusual premises coming from the property e.g. machinery
- ❖ Pungent smells coming from the property

Domestic Servitude

A particularly serious form of denial of freedom; this includes the obligation to provide certain services and the obligation to live in another person's property without the possibility of changing those circumstances. They may:

- ❖ Be living and working for a family in a private home
- ❖ Not be eating with the rest of the family
- ❖ Have no bedroom or proper sleeping space
- ❖ Have no private space
- ❖ Be forced to work excessive hours ; "on-call" 24 hours a day
- ❖ Never leave the house without the employer
- ❖ Be malnourished
- ❖ Be reported as missing or accused of a crime by their "employer" if they try to escape

Homelessness and Modern Slavery

To be homeless or rough sleeping makes a young person or an adult, vulnerable when exposed to organised crime gangs and exploiters. They may approach the homeless community at soup kitchens, local rough sleeping spots and offer employment, accommodation, wages, a place to sleep and even drugs or alcohol.

Many homeless people already have substance misuse as additional vulnerabilities as well as mental health, learning disabilities and no family contact.

5. Safeguarding Children, Young People and Adults at Risk

Children under the age of 18 cannot consent to be trafficked or exploited and child protection procedures will apply.

Adult at Risk as defined by the Care Act 2014 must be referred using adult safeguarding/protection procedures:

Where a local authority has reasonable cause to suspect that an adult in its area (whether or not ordinarily resident there) and that adult:

- ❖ Has needs for care and support (whether or not the authority is meeting any of those needs) **and**
- ❖ is experiencing, or is at risk of, abuse and neglect, **and**
- ❖ as a result of those needs is unable to protect himself or herself against the abuse or neglect or the risk of it

If a victim is identified as having care and support needs, or is a child under 18 years of age, local social care/safeguarding teams will carry out a risk assessment and strategy meetings may be held with multi-agency partners. The urgency of this will depend on the current risks to the child/adult as per safeguarding policy and procedures or through the NRM (what is the risk to an adult to return to their exploiters). **Should we add anything to this for Halton just to clarify the process for how we deal with it locally?**

Use of Interpreters

It is recommended that only official/approved interpreters are used and that the interpreter is aware of the sensitive nature of the situation. However, we also recommend:

- ❖ **It is best practice not to leave the interpreter alone with a victim, especially in waiting rooms or reception areas**
- ❖ **The interpreter should not have any other communication with the victim other than that intended**
- ❖ **The interpreter should not leave with the victim**

- ❖ If a victim looks distressed when an interpreter is being used, cease the session immediately

Trauma Informed Code of Conduct for Professionals

This guidance is designed to enable professionals in all fields of discipline to:

- ❖ Establish and maintain a mutual relationship of trust with survivors in any working context or environment
- ❖ Impart a consistent sense of calm, security and safety throughout the course of their work
- ❖ Increase the confidence of survivors and minimise the risks of causing distress and re-traumatisation
- ❖ Remain safe and well in the course of their work, avoiding secondary traumatisation and professional “burn out”

The full version of this guidance can be accessed from the Helen Bamber Foundation website using the following link:

[**Trauma Informed Code of Conduct for Professionals**](#)

6. The National Referral Mechanism (NRM)

This is the framework for identifying victims of human trafficking and to ensure they receive the appropriate protection and support. This may include:

- ❖ Accommodation
- ❖ Protection
- ❖ Access to legal advice
- ❖ Emotional and practical help

Adults must give their consent for their information to be shared for referral to the NRM as it is a voluntary process and if they do, only a First Responder can do this.

Consent includes explaining what the NRM is, what support is available through it and what the possible outcomes are for an individual being referred.

It does **not** provide them with leave to remain, or that the referral would automatically result in a positive decision (and potentially the right to receive ongoing support).

For those people who do not work for an organisation or have a Safeguarding Lead/Team or are not First Responders, please contact the Modern Slavery

Helpline to enable to victim to receive the support they need as quickly as possible.

Please find below an example of the pathway following an NRM referral:

1.	<p>The First Responder will complete the NRM online form: https://www.modernslavery.gov.uk/start?hof-cookie-check</p> <p>This takes about an hour and once completed the First Responder will be sent a link to download a copy.</p> <p>The Single Competent Authority (SCA) will aim to make a reasonable grounds decision within 5 working days wherever possible</p>
2.	<p>The Local Authority will adhere to duty of care processes. If the victim has no recourse to public funding and there is no duty to provide housing/support under safeguarding/human rights legislation, the First Responder should contact the Salvation Army for accommodation and/or outreach support: 0300 303 8151</p>
3.	<p>If the victim remains in the borough a plan should be developed around safety, housing, mental/physical wellbeing, legal advice, immigration option, work options, social/cultural needs.</p> <p>An advocate/key worker from whichever support service the victim is working with should remain in contact with them until the result of the NRM is known.</p>
4.	<p>There is a minimum 45 day recovery and reflection period currently for the NRM.</p> <p>Within the NRM outreach support people should receive: safe accommodation, translation and interpretation services, assistance accessing compensation, access to vocational training and employment opportunities, subsistence, access to relevant medical and legal services, assistance for safe repatriation and return.</p> <p>What people won't automatically receive is: leave to remain in the UK or right to work in the UK (unless they already have this or have been granted it through legal means during the NRM period). This support ends 14 days after a decision is made (or 45 days under the new Home Office recommendations) if positive, or 48 hours if negative but extensions can be applied for in particularly vulnerable cases.</p>
5.	<p>Alternatives to NRM support, may just be claiming treaty rights for EU, seeking legal advice re: asylum (which should be covered by Legal Aid) or other applications for leave to remain?</p>

NRM Outcomes

(Please note these explanations are extremely condensed)

The Single Competent Authority (SCA) will aim to make a reasonable grounds decision within 5 working days wherever possible. There is a detailed process that is undertaken following referral to the NRM and this guidance does not intend to set this out in full, however, there follows a short explanation of possible outcomes following referral to the NRM.

The ‘Reasonable Grounds’ Decision

To establish whether an individual is a victim of human trafficking two decisions **have** to be made. This may involve seeking additional information from the first responder or from specialist Non-Governmental Organisations (NGOs) or social services. The threshold at Reasonable Grounds stage for the trained decision makers is; “from the information available so far I suspect but cannot prove” that the individual is a potential victim of slavery, servitude, and forced or compulsory labour.

The ‘Conclusive Grounds’ Decision

The conclusive grounds decision is made as soon as possible after the minimum recovery and reflection period. This is based on the ‘balance of probabilities’ in that there are sufficient grounds to decide that the individual being considered, is a victim of human trafficking or slavery, and forced or compulsory labour.

What is the decision is negative?

If the SCA decides that there are not reasonable or conclusive grounds to accept the person is a potential victim of modern slavery, they will not offer support for a recovery and reflection period.

There is a process for appeal against a ‘reasonable grounds’ decision or ‘conclusive grounds’ decision, which is believed to be incorrect. Individuals can challenge this by way of a Judicial Review or it may be appropriate to ask the SCA to reconsider the decision.

Duty to Notify and/or No Consent to NRM

If consent is **not** given to refer to the National Referral Mechanism, then a Duty to Notify Form (DTN form) should be completed. Please see Appendix 3 for a link to the form.

This can be completed without the victim’s consent but **Section C** which contains details about the victim, their name, address etc. must be omitted. Adult victims who do not consent to the NRM may still give consent for their details to be given in the DTN form but a signature must be obtained for current data protection purposes to be fulfilled.

The NRM form is different to the Duty to Notify (MS1) Form and MS1 forms are only used when the victim wishes to remain anonymous.



7. Support for Victims

The Modern Slavery Act 2015 has been criticised for failing to establish a statutory framework for care services and for providing victims with a limited period of care on a non-statutory basis whilst awaiting a NRM outcome. The result is that victims of modern slavery are at risk of falling through gaps in the system and being re-trafficked.

Support that helps victims of modern slavery towards long-term safety, stability and wellbeing increases the likelihood that they will be able to give a full account of their trafficking or slavery background; that they will disclose intelligence about networks of criminal exploitation; and that they will cooperate with the authorities. It also helps prevent victims from returning to their exploiters where they had previously been reliant on them for accommodation or money. This has clear benefits for the victims themselves, but also assists those responsible for prosecuting alleged perpetrators of modern slavery or defending individuals who are suspected to be victims of exploitation.

How much support do victim currently receive?

The Home Office guidance accompanying the Modern Slavery Act 2015 states that support is offered to individuals who engage with the National Referral Mechanism and who are awaiting an official determination of their status as a victim of modern slavery. Following a positive reasonable grounds decision, adults are guaranteed support and assistance for a period of at least 45 calendar days. After a positive conclusive grounds decision, victims are guaranteed a further 45 days of “move-on” support. Those who are assessed as not being victims of modern slavery receive just 9 working days of move-on support.

Although the Home Office has said that these timeframes are not a cut-off point and this support will only come to an end where there is no longer an identified recovery need, a number of organisations working with modern slavery victims have described the end of the move-on period as a “cliff-edge”, with some individuals experiencing an abrupt cut off of financial and welfare support. The impact of this has in several cases been exacerbated by the Covid-19 pandemic.

What is the Modern Slavery (Victim Support) bill?

The Modern Slavery (Victim Support) Bill is draft legislation which proposes to amend and strengthen the Modern Slavery Act 2015 by requiring the Secretary of State to provide a much longer period of assistance and support to those going through the NRM process. Victims would be entitled to support services for the entire duration of their wait for reasonable or conclusive grounds decisions. The assistance and support would include accommodation, legal advice and representation; and help with repatriation. Following a positive conclusive grounds decision, a victim would be entitled to 12months support or longer, depending on their circumstances

In addition, the current starting point of the Home Office's Immigration Policy in respect of modern slavery victims is that an NRM-confirmed victim will not qualify for discretionary leave automatically; they must also satisfy one of three criteria, either that:

- ❖ **Leave is necessary owing to their personal circumstances, or**
- ❖ **That it is necessary to enable them to pursue compensation, or**
- ❖ **They are helping police with their enquiries**

The Victim Support Bill would further entitle any person who is receiving 12 months support following a positive conclusive grounds decision to leave, to remain in the UK for the duration of that support period. Exceptions may apply to sexual or violent offenders and individuals posing a genuine, present and serious risk to the public.

The Victim Support Bill also seeks to amend the Children Act 1989 to require local authorities to protect children in care who have been trafficked from the risk of re-trafficking, including by ensuring the child has accommodation that is suitable to their particular needs.

The Victim Support Bill was first introduced as a Private Members Bill in 2018. It had its first reading in the House of Lords in January 2020 and is still awaiting its second reading to be scheduled, in which Members of the House of Lords would debate its contents.

(The information for this section has taken from 2harecourt.com)

8. Additional Information on Victim Support Services

Until the Modern Slavery (Victim Support) Bill comes in statute, any of the organisations listed below can offer support to assist victims. In particular, those who do not consent to the NRM process and/or wish to be repatriated to their own country who will need support to do so.

British Red Cross (North West)	0151 702 5088	https://www.redcross.org.uk/about-us/what-we-do/modern-slavery-and-trafficking
Emotional Health and Wellbeing		https://hubofhope.co.uk/
Salvation Army	0300 303 8151	https://www.salvationarmy.org.uk/modern-slavery
Hope for Justice	0300 008 8000	https://hopeforjustice.org/
Migrant Help	0808 8000 630	https://www.migranthelpuk.org/contact
City Hearts	0151 709 9599	https://cityhearts.global/

Housing Support for Victims of Modern Slavery

The Localism Act 2011 Section 1 gives Councils special powers to provide accommodation/support even when there is no recourse to public funds. Section 5.3 states that where a person does not have eligible care and support needs and the local authority has decided not to use Section 19(1) of the Care Act 2014 to meet non-eligible needs, it will need to consider whether to use its general power of competence under Section 1 of the Localism Act, 2011. This gives the Local Authority a power to do anything that an individual generally may do, and may exercise this power in any way, including for benefit of residents.



9. Training Resources is there anything we can add in about training locally in Halton?

The following links are for specific resources and training courses which are available nationally:

Modern Slavery Guidance

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/655504/6.3920_HO_Modern_Slavery_Awareness_Booklet_web.pdf

Identifying and Supporting Victims of Modern Slavery for Health Staff

<https://www.e-lfh.org.uk/programmes/modern-slavery/>

Promotional Materials

<https://www.gov.uk/government/publications/modern-slavery-closer-than-you-think>

Modern Slavery is closer than you think – you tube video

https://www.youtube.com/watch?v=Jv1H_fAoOG4

Appendices

Appendix no.	Name	Attachment
1	Modern Slavery Statutory Guidance	 modern-slavery-statutory-guidance-.ew
2	Halton Modern Slavery Pathway	 MDS Pathway.pptx
3	Duty to Notify Form	https://www.modernslavery.gov.uk/start
4	Duty to Notify Guidance	https://www.gov.uk/government/publications/human-trafficking-victims-referral-and-assessment-forms/guidance-on-the-national-referral-mechanism-for-potential-adult-victims-of-modern-slavery-england-and-wales
5	Duty to Notify Factsheet	 6.2286_HO_LL_factsheet_duty_to_notify.
6	Glossary (taken from Modern Slavery Statutory Guidance)	 Glossary of terms in relation to Modern Slavery Statutory Guidance