

***Joint Protocol for Cheshire Police, Local Authority Social Care and Housing
Services responding to adults identified at risk of modern slavery.***



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 Cheshire Modern Slavery Strategy helps inform our approach to ensuring the legislative framework is effective in Cheshire East.

The difficulties in identifying crimes of modern slavery and the significant barriers for potential victims coming forward are well understood. In Cheshire East, several police operations together with referrals into the Local Authority have confirmed that acts of Modern Slavery do occur in our borough and that services can help support police and other partners by working together to help prevent and combat the effects of these crimes.

The process of identification can be very challenging, establishing the means and purpose of activities and, in terms of the Act, differentiating between those adults who are subject to poor or illegal work conditions and those who are victims of Modern Slavery using force, control, deception, and threat.

This protocol has been produced to give clarity to partner organisations responding to identified victims or those perceived as being victim of Modern Slavery 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 a senior officer lead for Modern Slavery. i.e., Head of Adult Safeguarding (CEC) and Modern Slavery Co-ordinator (Cheshire Police)
- Any suspicion of criminal activity is reported and investigated by the police in order for 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 where the adult has requested repatriation, **AND:**

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

OR:

- b) the adult is identifying themselves as a victim and has refused the support of the National Referral Mechanism (NRM); OR the adult has been referred to the NRM and there is a delay in providing the support and accommodation.

For the purposes of this Protocol, the term local authority refers to Cheshire East Council. Glossary terms within this protocol document:

- **“Adult”** – any person aged 18 or over where there are no reasonable grounds to believe this person may be under 18.
- **“Adult at risk”** – Under Section 42 of the Care Act refers to an adult who has needs for care and support, who experiencing, or at risk, abuse, or neglect and because of their care needs is unable to protect themselves.
- **“Child”** – any person under the age of 18. Where there are reasonable grounds to believe a person may be under 18 it is presumed, they are a child unless and until their age is otherwise determined. For example, by an age assessment carried out by a local authority.
- **“Competent authority”** – the competent authority for making decisions regarding modern slavery cases: in the UK this is the competent authority.
- **“Reasonable Grounds Decision”** – a decision taken by the Single Competent Authority as to whether the decision maker must agree with the statement that there are “reasonable grounds believe, based on objective factors but falling short of conclusive proof, that a person is a victim of modern slavery (human trafficking, servitude, or forced or compulsory labour).
- **“Conclusive Grounds Decision”** – a decision taken by the Single Competent Authority as to whether, or on balance of probabilities, there are sufficient grounds to decide that the individual being considered is a victim of modern slavery (human trafficking or slavery, servitude, or forced or compulsory labour).
- **“Duty to Notify”** – the duty placed on public authorities in England and Wales by Section 52 of the Modern Slavery Act 2015 to notify the Secretary of State when encountering a potential victim of Modern Slavery. In practice, this is discharged by notifying the Home Office.
- **“Modern Slavery”** – unless otherwise specified, refers to both human trafficking and slavery, servitude, and forced or compulsory labour.
- **“National Referral Mechanism” (NRM)** – refers to the UK’s framework for identifying and supporting victims of modern slavery. It is one means of ensuring that adult victims receive the necessary support and assistance in the period immediately after their identification as a potential victim.
- **“Potential victim”** – is an individual who is suspected of being a victim of modern slavery. They may have received a positive Reasonable Grounds decision but will not yet have received a Conclusive Grounds decision from the Single Competent Authority.
- **“Victim Care Contract” (VCC)** – Where the potential victim of modern slavery is a non-UK National/or has no recourse to public funds, the VCC will undertake an initial Needs Based Assessment and provide basic support to those entering the NRM. For example, vital maternity and baby items.

Throughout this protocol document reference will be made to the relevant sections of the Government's Modern Slavery Act 2015 – Statutory Guidance for England and Wales v 3.5 Updated October 2023 - [Modern Slavery: statutory guidance for England and Wales \(under s49 of the Modern Slavery Act 2015\) and non-statutory guidance for Scotland and Northern Ireland \(accessible version\) - GOV.UK \(www.gov.uk\)](#)

Information Sharing

Cheshire Police, Cheshire East Council and the wider partners of the Safeguarding Boards and Community Safety Partnerships agree that this protocol will be underpinned by effective sharing of information under the Multi-agency Information Sharing Protocol in order that effective, safe, and appropriate arrangements can be made for victims. Information will be shared between organisations, held at an appropriate level, and delegated on a need-to-know basis in order to provide appropriate support to minimise potential risks to victims and staff. Responsibility for delegating information will rest with the senior officers within each agency.

Initial response and identifying next steps with the adult at risk.

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, wellbeing, and safety. To interview the adult, the police officers will need to establish any barriers to effective communication to include 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 victim's ability to give evidence, vulnerable and or intimidated witness protocols should be followed.

Where an adult at risk has been identified, a Safeguarding referral to Cheshire East Council must be made. Modern Slavery victims do not have to have identified Care and Support needs to receive Safeguarding Support. For those victims who do not have care and support needs, the worker can initiate a Safeguarding Enquiry and select 'other safeguarding enquiry' on the electronic case recording system.

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 as soon as possible. Where the adult does not consent to an NRM referral but there is concern, the Duty to Notify (DTN) should be made by the police.

In England and Wales, public authorities specified in Section 52 of the Modern Slavery Act have a statutory Duty to Notify the Home Office when they come across victims of Modern Slavery. This duty is discharged by either referring a potential victim into the (NRM) where they are a child or consenting adult or by notifying the Home Office where an adult does not consent to enter the NRM. (This should not preclude other agencies re-visiting this with the adult, as appropriate, subsequently).

Contact details for the NRM & DTN can be found in useful contacts below.

Notifying other agencies:

The Police will notify the local Adult Social Care team as soon as a victim is identified under this protocol. (Contact details below)

Adult Social Care will ensure that the Housing Options Team are notified where there is a likelihood of homelessness. (Contact details below).

Adult Social Care will ensure that where there is a concern that a victim is a child or if there are children involved that Children's Services are notified. (Contact details below).

A nominated senior police lead will also inform the Safer Adults Board Lead Adult Social Care of the incident.

Agency Responsibilities

Police

Responders (including Police and partners) should be live to situational and factual indicators which suggest that a person may be the victim of modern slavery/trafficking.

To understand and account for the likelihood that the victim is likely subject of control by others and may not immediately disclose or even be aware of the nature of offences against them. The safety and welfare of the victim is paramount.

Consider removing any potential victims from the place of exploitation before asking any questions, keep multiple victims separate but not isolated and consider any other potential victims at other locations who may be at risk.

To establish the Adult's wishes and feelings have been established in relation to acceptance of support.

To make a referral to the local Adult Social Care Team

To facilitate transfer to safe accommodation as soon as possible, ideally the same day.

Adult Social Care (ASC)

ASC will provide a care, support, and coordination role. This will involve wherever possible and practicable, direct face-to-face contact with the victim to establish any welfare needs and check their wishes and desired outcomes in line with Making Safeguarding Personal. It will be the responsibility of Adult Social Care to ensure that basic needs are identified and access to any necessary support service is considered. This may include the provision of cash/ food or other arrangements to meet essential needs.

Adult Modern Slavery victims are not required to have identified Care and Support needs to receive Safeguarding Support. For those adults who do not have care and support needs where a safeguarding enquiry takes place the worker will need to select 'other safeguarding enquiry' on the electronic case recording system.

Should there be concerns about a victim's mental capacity, an assessment by Adult Social Care should be arranged and referred for advocacy where required.

Where a large group of individuals are identified as being potential victims of Modern Slavery it may be necessary to coordinate a multi-agency response. This will be facilitated by the Council's Emergency Planning Team. ASC will liaise with the Emergency Planning Team to co-ordinate a multi-agency planning meeting to ensure that everyone is working together.

Children's Social Care

Where a child or young person is identified as a victim or associated with a victim during a Police operation, initial contact must be made with the Cheshire East Children's and Young Person Consultation Service (CHECS.) who will be able to provide advice, information, and help, including, the provision of appropriate support where the child or young person is considered to have unmet needs or at risk of harm. Where the victim is a person under 18 all accommodation responsibilities will lie with Children's Services and not with the Housing Options Team.

When a child turns 18, pending an NRM decision:

Children referred into the NRM are supported by children's services within local authorities and will generally become ineligible for that support when they turn 18 and become an adult.

Where a child has entered the NRM and is known to be supported by the local authority and has received a positive Reasonable Grounds decision and subsequently turns 18, their consent is required to continue with the NRM process.

Potential or confirmed victims whose Modern Slavery experience was perpetrated as

a child and who continue to receive support from a local authority until they are 21 or 25 years of age, should be referred to the SCA 83 Published by the Home Office May 2023 for continued support nrm@modernslavery.gov.uk or NRM Duty Line: 0300 0724 345) when they leave local authority support if they continue to need assistance with their recovery needs. A victim may receive support from local authorities or other relevant support services and professionals to assist them through this referral process.

Housing

Before approaching Cheshire East Housing Options Team, it must be established if the victim(s) will be safe in the borough and if not then where they might be safe. If a placement out of the borough is required, the victim(s) can determine their preference of location.

Housing Options Teams will offer emergency accommodation to ensure that the victim has accommodation that meets their basic housing needs. The location and type of accommodation should consider accessibility and practicality in relation to ongoing support/police enquiries and the risks posed to the victim and the needs of any dependents. Where possible accommodation will be provided until alternative accommodation is available.

If housing authorities believe an individual may be vulnerable, as a result of being a victim of Modern Slavery and following a referral to the NRM, housing authorities should ensure that emergency accommodation is made available while they are waiting for an initial Reasonable Grounds decision and/or while the housing authorities carries out its enquiries.

If the National Referral Mechanism arrangements are immediate and Housing Options accommodation is not required, it will be the police's responsibility to arrange a safe transfer to accommodation within the Local Authority boundary. Where accommodation and support under the NRM is to be 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.

Accommodation for UK Nationals and Foreign Nationals with Recourse to Public Funds:

There is unlikely to be an automatic right to accommodation through the NRM for UK Nationals and Foreign Nationals with Recourse to Public Funds. *Section 188 (1) of the 1996 Housing Act states 'if the local authority housing has reason to believe that an applicant may be homeless, eligible for assistance and have a priority need, they must secure that accommodation is available for the occupant's occupation'.*

Where a victim or potential victims are found to be Eligible for UK assistance and

have recourse to public funds, they will be placed into interim accommodation under Section 188(1). The Housing Options Team will proceed with the required Homelessness Assessment under the Homeless Reduction Act and will proceed to accept the Relief Duty to support the victim to secure a longer-term Housing Outcome

Accommodation for nationals and those without recourse to public funds:

Where an applicant is not eligible for UK assistance and has no recourse to public funds, interim or longer-term accommodation cannot be provided by Housing Options. However, where the Housing Options Team are notified immediately after identification that an Adult is believed to be a victim of Modern Slavery, the Housing Options Team should ensure that emergency accommodation is available for 10 days pending either Reasonable Grounds decisions or transfer to Victim Care Contract (VCC) support, irrespective of eligibility for assistance.

Reasonable Ground (RG) decisions should be completed within 7 days. Victim Care Contract (VCC) will accommodate pending RG decision cases a person is destitute with no other means of support. The Housing Options Team is not funded in a manner to support accommodation beyond 10 days and after this point if the RG decision is not in place or the VCC cannot accommodate, then Adult Social Care will meet the costs of accommodating Adults and Childrens Social care will meet the costs where a household contains children.

The provision of emergency accommodation will allow the individual to be supported whilst decisions are made regarding referral to the National Referral Mechanism or other provision as appropriate.

In circumstances where an applicant is found not to be Eligible for Assistance, the housing authority must provide, or secure the provision of, information and advice as set out in Section 179.

Where there is a delay in accessing NRM support, or the victim has requested repatriation (or other support) Adult Social Care will make interim arrangements to provide the necessary support.

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

- Accommodation
- Care and support
- Food
- Travel including repatriation.

Emergency Planning

If the Modern Slavery Case involves a large number of victims, and therefore may require the establishment of an Emergency Rest Centre, the Council will follow its Major Emergency Response Plan. Adult Social Care will liaise with the Joint Cheshire Emergency Planning Team. Contact details below.

The Emergency Planning Team should be notified of the potential need for an Emergency Rest Centre at the earliest opportunity.

HM Revenues and Customs

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 perpetrate 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 the Illegal Working and Modern Slavery Team via their dedicated email in-box:

mailbox.illegalworking/modernslaveryreferrals@hmrc.gsi.gov.uk

Exploitation in the Care Sector

Since 2021 there has been a 250% increase in the recruitment of overseas workers to jobs in the Health and Social Care Sector. During the same time period, there has been a 606% increase in the number of modern slavery cases being reported. People are often subject to debt bondage in their own country and are seeking to repay this by becoming Care Workers in the UK where no specific qualifications are necessary. Most of these workers are female with the top 3 countries of origin being India, Zimbabwe and Nigeria.

Some Employers are taking advantage of this situation, demanding additional sponsorship fees, expecting staff to work long hours with little breaks, pay deductions for food and transport, with little information about Employees Rights. The latest figures for 2023 indicate an average debt per worker of £11,800.

Whilst most of these people will not have care and support needs, the potential for being exploited and feeling trapped is huge. Moreover, those in receipt of care may not be getting the best support due to the lack of training and support to the overseas worker, by their Employer.

In these circumstances a referral can be made to the Modern Slavery Helpline (number listed under useful contacts in tis doc.) and/or to the Gang Masters and Labour Abuse Authority and the Local Authorities Contracts and Commissioning Team should be informed. The Home Office have a duty to inspect Employers to ensure that they are fulfilling their Sponsorship Duties.

Should a person appear to have needs for care and support then an assessment can be offered by CE Adult Social Care.

Useful Contacts

Cheshire Police

Emergency: 999

General Number: 101

Modern Slavery Coordinator: 01606 365823

National Referral Mechanism

08000 808 3733

MST@salvationarmy.org.uk

Salvation Army - Hub at Crewe: 01270 500591 (Neil Denyer)

crewe@salvationarmy.org.uk

NRM Guidance - [Modern Slavery: statutory guidance for England and Wales \(under s49 of the Modern Slavery Act 2015\) and non-statutory guidance for Scotland and Northern Ireland \(accessible version\) - GOV.UK \(www.gov.uk\)](#)

NRM e-form – <https://www.modernslavery.homeoffice.gov.uk/paper-version-download?hof-cookie-check>

Duty to Notify – (complete online referral form Section 1-4 and 7 (Do not include any personal details without the victim permission)

<https://www.modernslavery.gov.uk/start>

Modern Slavery Victim Care Contract

Secure e-mail: liam.james@salvationarmy.org.uk.cjism.net

Tel: 07741360070

Modern Slavery Referrals:

Tel: 0800 808 3733 (24 hours)

Email: mstreferrals@salvationarmy.org.uk

Cheshire East Adult Social Care

Adult Referrals call:
Adult Social Care: 0300 123 5010
(Out of hours call 0300 123 5022)

Cheshire East Childrens Social Care

Child and Young Person Referrals call:
CHECS on- 0300 123 5012
(Out of hours call 0300 123 5022)

CEC Emergency Planning

Tel: (01244) 973869
Duty Emergency Planning Officer: 0845 124 9830
EmergencyPlanningTeam@cheshirewestandchester.gov.uk

Cheshire East Housing

Tel: 0300 123 5017 (option 2)
Emergency out of hours: 0300 123 5025 (*The initial enquiry goes to a control centre and they contact the officer on duty*).
Email: housingoptions@cheshireeast.gov.uk

The following Local Authorities may be approached for contact in cases where it is deemed necessary to support a vulnerable adult into emergency accommodation out of the area of the local council.

Cheshire West and Chester

Tel: 0808 175 3595
Emergency out of hours: 0300 123 7035
Email:

Warrington

Tel: 01925 444400
housingadvice@warrington.gov.uk

Halton

Tel: 0151 511 7079
Emergency out of hours: 0333 000 4300
Housing.solutions@halton.gov.uk

Stoke-on-Trent

Tel: 01782 233696
Emergency out of hours: 01782 234234

Medaille Trust - www.medaille-trust.org.uk

Tel: 0151 257 8326

Marcus Dawson - Director of police and justice partnerships for general advice and assistance around NRMs, Video Recorded Interviews (ABE interviews) and police operations which Medaille has trained staff in all of these to support police with.

Email address: m.dawson@medaille-trust.org.uk

Drug and Alcohol Services

Tel: 01270 656 301/ 01625 712000

Red Cross: antitrafficking@redcross.org.uk

Modern Day Slavery Helpline

Tel: 08000 121 700

Salvation Army: 0300 303 8151

Barnados

Tel: 0800 043 4303

GANG MASTERS AND LABOUR ABUSE AUTHORITY [GLAA](#)

To report issues, contact – 0800 432 0804

For general enquiries contact – 0345 602 5020.

[Modern slavery in the care sector: useful resources | Local Government Association](#)

[Modern slavery | Local Government Association](#)

Causeway – (Lifeline)

LifeLine is a support programme developed by Causeway as a way of addressing the needs of survivors who fall outside of government-funded support (known as the National Referral Mechanism).

Survivors able to access our LifeLine support whenever they need to, which provides a vital source of safety and support, as they know there is always someone they can rely upon for help.

- From 2/4/24 - two phone lines operational, one for professionals and one for survivors to call.
- The numbers to call initially are, Katherine (coordinator of Lifeline) 07731527507 and Angela (advocate) 07719546452.
- From 22/4/24 – an online referral link and an information document that can be given out to survivors will be available with the information document available having been translated into key languages.

