

# Modern slavery workshops for regional partnerships



In partnership with

**Dear Colleague,**

**You are receiving this pack in your role as Coordinator of a Modern Slavery Partnership.**

Cases of modern slavery have been identified in every part of the UK. Whilst the general awareness of modern slavery has risen in recent years, for frontline practitioners it's not always obvious how to respond to particular situations of entrapment and exploitation. These can be very different from each other, for example, a British teenager forced to smuggle drugs will need different support to a migrant worker exploited in a factory.

It is important that people working in local organisations, from health professionals to social workers, police officers, businesses, charity and community organisation workers, know not only how to respond to potential cases, but also know who else to involve to make sure people affected get the comprehensive support they need.

This resource pack has been developed for regional Modern Slavery Partnerships to host five workshops, each aimed at a different target audience. You may choose to run all the workshops, or just a selection, depending on the current need in your region. Please feel free to run each workshop as many times as you wish.

In each workshop, the attendees work in partnership through a realistic scenario of modern slavery, allowing them to learn about current gaps and best practice in your region and to ensure a joined-up approach across the locality of your Modern Slavery Partnership. Whilst we have tried to use realistic scenarios and provide corresponding advice, the examples are illustrative and should not be seen as prescriptive. Each workshop is accompanied by a package of handouts which simplifies the most relevant policies and legislation to help improve victim support.

Whilst the workshops will be of benefit to a large range of organisations, their success rests on being undertaken alongside other local partners in order to develop the most effective, wrap-around response to modern slavery. This is why we strongly recommend using these workshops only through the regional Modern Slavery Partnerships, which can guide and coordinate local partners to a cohesive practical response.

**For any questions, please contact Dr Alicia Kidd: [Alicia.kidd@hull.ac.uk](mailto:Alicia.kidd@hull.ac.uk).**

# Modern slavery workshops

WORKSHOP ONE

## Multi-agency response

# Guidance document

## Invites



This workshop is intended to be hosted by Modern Slavery Partnership Coordinators who will find the workshop a useful space for all partners to recognise local best practice and gaps in services. The purpose of the workshop is to identify the **current understandings, responses and capacity** in your region to be able to deal with various aspects of a case of modern slavery. Garnering this knowledge will allow you to be able to set actions to plug any gaps and improve responses. We recommend taking notes of potential actions and allocating them at your next Modern Slavery Partnership meeting.

The workshop is relevant to the following organisations:

Police, Adult Safeguarding, Child Safeguarding, Housing, Fire and Rescue, Gangmasters and Labour Abuse Authority, Support Charities, Probation Services, Border Force, Community Safety Partnerships, City Health Care Partnership, NHS Foundation Trusts, Clinical Commissioning Groups, NHS England, Ambulance Service, Public Health, Crown Prosecution Service.

We recommend inviting both strategic and operational staff from these agencies.

## Equipment

- You may want to provide name badges if people haven't worked together before.
- You will need flipchart paper and pens to take notes from each group.
- You may need PowerPoint facilities if any opening speakers require them.
- You may wish to print and photocopy the scenarios so there are a few hardcopies available for each group. A photocopy symbol  has been included at the top of relevant pages in this document.
- You will also need to print and photocopy the package of handouts at the end of this workshop along with the Evaluation Form for Attendees, so that all attendees have access to them on the day. The photocopy symbol  marks the relevant pages. Please keep these evaluation forms; they are to help you to identify any potential needs or actions to be addressed by your Modern Slavery Partnership.

## Structure

The event is based on working through a scenario in groups that would likely have to interact if the scenario were to occur in real life. The number of attendees you invite depends on your venue, but for the most effective conversations we recommend having 2-4 break out groups (ideally in separate rooms) with around 8-12 people in each. There should be a separate person as a facilitator for each group. Each break out group should have representatives from a variety of organisations within it, rather than there being one group for police, one for safeguarding, one for health, etc.

Once attendees are confirmed, the groups should be allocated. Please print the enclosed sign-in sheet ahead of the workshop. There is a column in this sheet to make a note of which group each attendee is allocated to. This should be clarified with attendees on arrival, and they should remain in the same group for the duration of the event. We suggest inviting a representative from one of the lead organisations on modern slavery in your region as an opening speaker – for example, from the police, a local authority, or a key non-governmental organisation (NGO).

The scenario is split into four main parts. There are some areas highlighted within the scenario document which require you to input a location relevant to your partnership area.

Once the groups have separated for their first break out session, the facilitators for each group should read out Scenario Part One to their groups and invite them to discuss the scenario (i.e. all groups discuss the same part of the scenario at the same time). The facilitators should have at least a basic working knowledge of the main policies and procedures relating to modern slavery. Their purpose is not to tell their group how to deal with the scenario, but to encourage conversation between the group members so that they can tackle the problem. There may be a requirement for the facilitators to make suggestions of ideas that people may not have considered, or to steer the conversation either if it gets off track, or if time is getting short.

Each group will work through Scenario Part One, then everyone should come back together for a feedback session, facilitated by the Coordinator of your Modern Slavery Partnership. You might choose to ask a different group to feed back after each session, or you may prefer to ask for a couple of key points from each group. The feedback sections of this document offer a list of suggested discussion points for each session. The person facilitating should raise some of these points for open conversation, then run through the 'Advised Action' section, allowing time for discussion.

The groups will then break out for Scenario Part Two and come back to feed back, and so on. At the end of the event there should be time for questions and for attendee evaluation forms to be completed. Please keep the forms completed by the attendees; these will help in the development of your partnership and in identifying the needs of partners. There is also a form about the success of the workshop for you to complete and return to us.

**Proposed agenda:**

# Modern slavery workshop – multi-agency response

<b>8.30am</b>	Refreshments and registration
<b>9am</b>	Welcome and summary of the day
<b>9.10am</b>	Opening speaker
<b>9.25am</b>	Breakout and introductions
<b>9.35am</b>	Scenario part one
<b>10am</b>	Feedback part one
<b>10.15am</b>	Coffee
<b>10.30am</b>	Scenario part two
<b>10.35am</b>	Interject
<b>11am</b>	Feedback part two
<b>11.15am</b>	Scenario part three
<b>11.20am</b>	Interject
<b>11.45am</b>	Feedback part three
<b>12pm</b>	Coffee
<b>12.15pm</b>	Scenario part four
<b>12.45pm</b>	Feedback part four
<b>1pm</b>	Summary, questions and evaluation forms
<b>1.30pm</b>	Close





## Scenario part one

Allow time for introductions.

The local authority receives a complaint about a vermin infestation in a private house. They arrive to discover it's a very run-down House of Multi Occupancy (HMO). In the house, there are four adults and two children. One person speaks limited English and explains that he was brought here three weeks ago. Four of the occupants arrived a week after he did. The other occupant was already living there, though he appears very unwell, so he hasn't spoken to him properly. The man speaking tells you he works in a recycling plant.

### Things to consider:

- What would your first priority be?
- Which organisations need to know about this?
- Would your organisation be involved at this point?
- If so, how long would it take you to respond/attend?
- Do you have any safeguarding concerns?
- What questions should be asked?
- Do any agencies have the power to enter?
- What are the risks?



## Feedback part one

### Discussion points:

- Do you have any reason to be concerned at this point?
- Is any medical attention required?

### Advised action:

- You need to inform:
  - Environmental Health
  - Public Health
  - Housing
  - Ambulance Service
- If you need an interpreter to speak with the occupants, identify the language(s), decide whether face-to-face or telephone interpreting is more appropriate and identify which service will cover the cost.
- Consider how safe the house is and whether the landlord needs to be contacted.
- Consider any immediate health needs to both the occupants and your staff (think mice/rats, any personal protective equipment required, etc.)
- Questions that need to be considered include:
  - Who brought the man here?
  - Who else is living there and what are they doing?
  - Who owns the property?
  - Is the house registered as an HMO?



## Scenario part two

You source an interpreter and go back to speak to the man. He explains that he came on his own from Poland. He answered a Facebook advert where he paid £100 for a job to work as a carpenter at a local building company. He spoke to the recruiter on the phone who explained that he would organise the transport for him and sort out accommodation for when he arrived. When he got here, his recruiter told him that there was no work at the moment as a carpenter so he helped him find a job in the recycling plant. He works 8am-6pm 7 days a week and gets £20 per day – he doesn't have a contract. The rest is used to pay back the recruiter for the transport and accommodation. He'd been promised much higher pay for much fewer hours so is unhappy with the situation.

When he moved in, there was already a man living here who seems quite ill, but he doesn't know what language he speaks so they haven't communicated properly.

A week after he arrived, an Albanian family moved in. There are two adults and two children. The dad gets picked up and dropped off in a minibus every day. The mother leaves the house with the children every morning.

You get an interpreter and speak to the Albanian man. He explains that he was recruited by his friend back in Albania who offered him a good job in the UK. He moved over with his family; his friend had organised for them to live in this house. He's picked up every morning in a minibus and taken to a salad factory where he works 12 hours a day packing salad. But the house is expensive and he owes his friend for finding him the work. He doesn't get paid enough to pay off his debts so his wife goes out every day with the children and begs.

After more investigation, you determine that the 'friend' who recruited the Albanian man is the same person who recruited the Polish man.

### Things to consider:

- What do you do with this information?
- What support are you now seeking?
- What action should your organisation take?
- What further information do you need?
- Are there any other organisations that should be involved now?



## Scenario part two interject

Facilitator to read this out after the group has been discussing part two for five minutes.

Social services get back to you with intelligence on the Albanian children. They've had reports from neighbours raising concerns about the children who come back to the house regularly during the daytime, even when they should be at school. There is also intelligence to suggest that the children have been shoplifting. They look to be aged around 7 and 9. One neighbour is also concerned about the welfare of the Albanian woman. Over the last couple of weeks, the neighbour has heard a man and woman shouting at each other from inside the house.

## Feedback part two

### Discussion points:

- It could be that the employers are aware and complicit in the long hours and low wages, but equally they could be oblivious.
- If there is a domestic abuse risk, what steps should you take?

### Advised action:

- Ensure that the ill man receives the medical attention that he needs.
- It is clear that labour exploitation is occurring. There is a possibility that the recruiter may be exploiting other people elsewhere:
  - Report to police
  - Report to Gangmasters and Labour Abuse Authority (GLAA - see handout)
  - Report to HMRC
  - Report to the Employment Agency Standards Inspectorate
- There is a potential risk that family members could be vulnerable in home countries, so it would be advisable to contact the National Crime Agency.
- Do not contact or alert the salad company or recycling plant as this could tip them off and potentially put other workers at risk.
- Safeguarding of all individuals should be the main priority. Statutory safeguarding duties apply here (for example S17 of the Children Act 1989: Provision of Services for Children in Need, their Family and Others; S47 of the Children Act 1989: Child Suffering/Likely to Suffer Significant Harm; and S42 of the Care Act 2014: Safeguarding of Vulnerable Adults).
- Identify whether the Albanian nationals are in the UK legally, and whether the children are registered at school.
- Speak with the Albanian man and woman separately in case one of them wishes to divulge information about domestic abuse.



## Scenario part three

The ambulance service attend and are concerned that the ill man has query sepsis. They transport him to the local hospital in an ambulance.

The Albanian family disclose that the children have never been registered at school.

**What action do you take?**

### Things to consider:

- Are you concerned about the health of the other people living in the house?
- Are you concerned about the health of the wider community?
  - How are you going to follow up with this man now he's been taken to hospital?
  - Would anyone go with him in the ambulance?

How do you safeguard all the individuals?

- Polish man working 10 hrs, 7 days a week for £20/day
- Albanian man working 12 hrs, 7 days a week
- Albanian woman begging
- Albanian children shoplifting
- Ill man with query sepsis
  
- Who would you house?
  - How and where would you house them?
  - Who could fund the housing?

Do you think that anyone in this scenario has been a victim of modern slavery or human trafficking? If so, why and what do you need to do?



## Scenario part three interject

**Facilitator to read this out after the group has been discussing part three for five minutes.**

You receive a phone call from [insert name of your local hospital]. The ill man has come round. He is a British national who is currently homeless. He's not known to any agencies, but came to [insert name of local town] from [insert name of a different town] and found the house empty so started sleeping there. He is an army veteran with PTSD and has a drug dependency. He has previously spent time in prison. Other people moved in to the property after he arrived but didn't seem to mind him staying.

The hospital say he can be discharged.

- Does your agency have any responsibility towards this man?
- What are your next steps regarding this man?
- What agencies would you inform in terms of the ongoing care of this individual?

## Feedback part three

### Discussion points:

- The emergency department and local authority have a duty to the homeless man, but in order to provide housing, a homelessness assessment may need to show a local connection.
- Albanian nationals have no recourse to public funds so how do you help them?

### Advised action:

- Adult social care should conduct a needs assessment for the homeless man
  - Consider that this man is a potential witness
- Everyone should be removed to a safe environment and facts established
  - In your area, where might this safe environment be?
- Assist with any immediate issues (e.g. healthcare or hunger)
- Interviews should be conducted with each person individually. Decisions on who will undertake the interviews, the questions that will be asked and whether they should be recorded should be made within a joint agency strategy meeting
  - Use professional interpreters or a language telephone service, not a 'friend' of the person you're interviewing (you don't know if they might be involved)
- There is enough information to consider that modern slavery has occurred in the form of labour exploitation
  - A National Referral Mechanism (NRM) referral should be made (see handout)
- The safeguarding of the Albanian woman and children would likely fall within S17 of the Children Act 1989: Provision of Services for Children in Need, their Family and Others. This means the local authority has a duty to assess their situation.

[If there is limited knowledge in the room of the NRM process, then extra time should be included to provide a summary of how the process works, who the first responders are, and the duty to notify via an MS1 form if no NRM referral is completed – there are documents in the handouts which will support with this].



## Scenario part four

A first responder has spoken to the Polish man and Albanian family and believes them all to fit the definition of victims of modern slavery. The first responder agrees to fill out NRM forms on the online portal to refer them into the system.

The Albanian family has agreed to be referred into the NRM. They are accepted to be housed in a safehouse in Dover. The Salvation Army will collect them in three days.

The Polish man refused referral into the NRM.

### Things to consider:

- What do you do with the Albanian family in these three days?
- Who is responsible for their care and housing?
- What do you do with the Polish man?
- Is the Polish man capable of making an informed choice?
- Do you need to take any action in relation to the house they were all housed in initially?
- Does your organisation have an existing victim care policy or process?
  - If yes, discuss how this works
  - If no, what steps are you going to undertake to put one in place?
- Do you need to keep in contact with any of these people?  
If so, how will you do this?



## Feedback part four

### Discussion points:

- The Polish man remains in debt bondage and vulnerable and may require ongoing safeguarding support.
- Where would you be able to house the Albanian nationals until The Salvation Army is able to collect them?
- If there is going to be ongoing investigation into the cases, how do you intend to maintain contact with all these individuals?

### Advised action:

- If you are a first responder, ensure that you know how to complete an NRM form before you are required to.
- Adults must consent to entry into the NRM. As the Polish man has refused consent, an MS1 form must be completed and submitted (see handout)
  - A needs and risk assessment should be carried out for the Polish man by social care or the police (note that police will assess risk but not needs). Consent is required for this
  - Safeguard the Polish man and work to reduce risks and prevent re-exploitation, including provision of safe housing where required
  - The local authority has a duty to provide homelessness advice
  - If he doesn't meet threshold criteria for care, support or housing or has no recourse to public funds, consider international duties and potential breaches of convention or community rights
  - Consider referrals to non-statutory support options – what third sector support is available in your area?
  - You could conduct welfare visits or ask him to attend a service on a weekly basis
- Find safe housing for the Albanian nationals. Hotels and B&Bs are not suitable accommodation
  - Where might this be in your region?
  - This would be the responsibility of the local authority housing or social care
- If you need to maintain contact with the Albanian family:
  - Ask the safehouse to provide you with weekly welfare updates
  - Contact them via telephone if you need to be in touch

# Summary

## 1. Open to the audience:

- Are there any questions about the scenarios?
- Is there anything from today that will lead you to make a change in your organisation?
- Is there anything you need more advice on?
- Have you identified any gaps in provision that need to be tackled?

## 2. Actions:

- Have any actions been identified today that need to be addressed?
- We recommend that any actions arising from the workshop should be discussed at your next Modern Slavery Partnership meeting.

## 3. Closing points:

- Ask everyone to fill out the attached evaluation form.
- Closing comments.

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**WORKSHOP ONE**

# **Handouts**



## Gangmasters & Labour Abuse Authority

### Who we are

The Gangmasters and Labour Abuse Authority (GLAA) is the foremost investigative agency for labour exploitation in the UK. We work in partnership with law enforcement bodies to protect vulnerable workers and disrupt organised criminality in the labour market.

Across the UK, we have positive existing relationships with many Modern Slavery Partnerships which we are keen to build on. We fully support your work and believe there are lots of areas where we can work together to uphold workers' rights and bring those responsible for exploitation to justice.

We hope you find this brief guide to us as an organisation useful.

### Our powers and remit

We were created following the 2004 Morecambe Bay cockling disaster to prevent the exploitation of workers in the fresh produce sector. In 2017, we were rebranded and given new powers to also investigate labour exploitation offences, including the forced or compulsory labour element of modern slavery, across England and Wales.

We operate a licensing scheme, regulating businesses who provide workers for agriculture, horticulture, shellfish gathering and food production, to make sure they meet the employment standards required by law.

Labour providers are assessed to check they are meeting our licensing standards which cover health and safety, accommodation, pay, transport and training. We also investigate and prosecute unlicensed gangmasters.

In England and Wales, we use our new powers to investigate forced or compulsory labour and human trafficking offences. We also utilise powers under the Immigration Act 2016 to issue Labour Market Enforcement Undertakings (LMEUs) and Labour Market Enforcement Orders (LMEOs) which can be used as an alternative or additional sanction for breaches of labour market legislation.

### Prevention and partnerships

We are aware that we simply cannot arrest our way out of the problem of labour exploitation. In the long-term, prevention will have the biggest impact in raising awareness and driving the real business and consumer change needed to ensure the wider public accepts that exploiting people for their labour is completely unacceptable.

We have active protocols currently in construction and textiles, with plans in place for a further industry-led protocol covering the hospitality sector.



## Gangmasters & Labour Abuse Authority

Communicating with our stakeholders – people like you – is really important in delivering this message. We host targeted awareness-raising events across the UK and deliver training to businesses to help them have confidence identifying issues in their supply chains. We also believe educating the next generation of workers is crucial. We joined forces with Boston College and, in doing so, it became the first college in the UK to embed the subject of modern slavery and labour exploitation across its range of academic and vocational courses.

You can stay in touch with the work we are doing by subscribing to our quarterly Partnership Bulletin, detailing our recent activities in enforcement, regulation, and prevention.

### Spot the signs of exploitation

Spotting the signs of labour exploitation is no easy task but there are several helpful indicators to look out for which can be divided into six key sections:

- Restricted freedom
- Behaviour
- Working conditions
- Accommodation
- Finances
- Appearance

Not all of them will apply in every case and some may not be immediately apparent. Victims may be reluctant to tell their story through fear of reprisal or not being believed, through a feeling of shame about letting themselves be treated in this way, or because they do not know their rights and the treatment they are entitled to receive.

Our website has more information, as well as a suite of resources which includes posters, leaflets, videos, educational products and industry profiles giving a breakdown of our intelligence in 17 sectors of the labour market.

### Report your concerns

If you have any concerns about labour exploitation or unlicensed trading in our regulated sectors, contact our intelligence team:

- By telephone on 0800 4320804
- By email at [intelligence@gla.gov.uk](mailto:intelligence@gla.gov.uk)
- Through our website, with reporting forms in eight different languages

You can also report suspicions to the Modern Slavery Helpline on 08000 121700.

Please see our website [www.gla.gov.uk](http://www.gla.gov.uk) for further, useful information.

## No Recourse to Public Funds (NRPF)

Some victims may exit the National Referral Mechanism (NRM) and have no recourse to public funds (NRPF). NRPF is a term used for people who are subject to immigration control and have no entitlement to welfare benefits, to Home Office asylum support or to public housing provision.

People with NRPF are at high risk of homelessness and destitution because they cannot access mainstream housing and welfare benefits. People whose NRPF condition is due to an asylum claim are usually not permitted to work.

### Who may be subject to NRPF?

NRPF clients fall into several groups:

- 1) Migrants who are excluded from claiming public funds (welfare benefits, homelessness assistance and local authority allocation of social housing) because they are subject to immigration control such as people who have entered the country without a visa and are classed as 'illegal entrants', and people with no immigration permission, for example, they have stayed in the UK after the expiry of their visa or after an unsuccessful application for a visa extension.
- 2) Documented or 'regular' migrants who are in the country legally with a valid visa that has the NRPF condition. Generally, limited leave to enter or remain (i.e. a visa with a time limit) is subject to the NRPF condition.
- 3) Migrants who are unable to claim benefits because they do not satisfy the eligibility criteria such as EEA nationals who do not have the right to reside or are not exercising their treaty rights. With no such right to reside, their access to benefits and housing rights is restricted.
- 4) Migrants who do not pass the habitual residence test.
- 5) Asylum seekers and refused asylum seekers are also excluded from accessing welfare benefits, homelessness assistance and social housing. Instead, accommodation and financial support is available from the Home Office to those who have a pending asylum claim or appeal, or to refused asylum seekers in certain circumstances.

### Local authority duties

There are provisions which require local authorities to provide some people with NRPF with housing and/or financial support in order to prevent homelessness or destitution. Such assistance can be provided to adults requiring care and support as defined by the Care Act 2014 due to a disability, illness or mental health condition, or young people who were formerly looked after by a local authority, for example, because they were an unaccompanied asylum seeking child or other separated migrant child.

Social services support is **not** a public fund for immigration purposes, so a person with NRPF can access this and should not be refused assistance on the grounds that they have NRPF. Local authorities should consider whether the impact of not providing support in these cases will violate the person's human rights.

## No Recourse to Public Funds (NRPF) continued

Section 42 of the Care Act 2014 requires a local authority to undertake an enquiry to establish whether any action needs to be taken to prevent or stop abuse or neglect where the council has reasonable cause to suspect that an adult in its area who has needs for care and support (whether these are being met or not), is experiencing or is at risk of this, and is unable to protect themselves from the abuse or neglect due to their needs.

Paragraph 14.17 of the Care and Support Statutory Guidance specifies that abuse or neglect includes modern slavery, which encompasses: 'slavery, human trafficking, forced labour, domestic servitude, and where traffickers and slave masters use whatever means they have at their disposal to coerce, deceive and force individuals into a life of abuse, servitude and inhumane treatment'.

When a local authority identifies a person as being a potential victim of trafficking or modern slavery, they should (with the potential victim's consent), notify the National Referral Mechanism (NRM). Where the person has NRPF, the safeguarding plan will need to explore what housing options are available. This could include:

- Housing available through the NRM
- Consideration within the needs assessment to establish whether accommodation can be provided under the Care Act 2014
- Consideration as to whether Section 1 of the Localism Act 2011 will require the local authority to provide housing in order to prevent a breach of human rights or to comply with the EU Anti-Trafficking Directive

## Section 1 of the Localism Act 2011

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 the benefit of residents.

## The third sector

It is likely that there are many more victims with NRPF using services who do not disclose their situation, particularly when using open access services for basic facilities such as food and showers, without a needs assessment. These services may not be well versed on modern slavery and/or NRPF and may not know the signs to spot, or indeed have suitable knowledge in conducting and recording needs assessments.

Having no recourse to public funds is not necessarily a problem – NRPF migrants can be studying, working, or living in the UK providing they meet the required immigration controls and can support themselves. Victims exiting the NRM may be supported to apply for leave to remain and access work or university.

There is always a risk without a proper recovery needs assessment and provision that there may be a gap between NRM support ending and any leave to remain being granted.

# The Digital National Referral Mechanism (NRM) and Duty to Notify (DTN)

The National Referral Mechanism (NRM) is a framework for identifying victims of modern slavery and human trafficking and ensuring they receive the appropriate protection and support. There are two pathways: one for children and one for adults (18+).

The new digital process for NRM/DTN referrals was made available nationally from the 29th August 2019. This new process is now fully in place and operational for all first responders. The new process allows NRM referrals or DTN submissions to be made using a single online form.

This same process is to be used for NRMs and DTNs and whether the victim is an adult or child, as the form options presented will change depending on information submitted. The new form and associated documents can be accessed through the following link: <https://www.modernslavery.gov.uk/start>.

If the potential victim has capacity and gives their informed consent (consent only necessary for an adult) to a referral into the NRM, first responders should complete the online NRM Referral Form with the potential victim or use the offline prompt sheet if working offline.

There are two stages of the NRM: Reasonable Grounds and Conclusive Grounds:

- For a positive Reasonable Grounds decision, the threshold is 'I suspect, but cannot prove' [that this person is a victim of modern slavery]
- For a positive Conclusive Grounds decision, the threshold is 'on the balance of probabilities' [there is enough information to conclude that this person is a victim of modern slavery]

## Duty to Notify

It is worth noting that not all victims consent to an NRM referral and take up safe accommodation, however local authorities still have a duty to notify. In those cases, an **MS1** form must be completed using the online portal.

The **MS1** form should be completely anonymous if the potential victim does not consent to their details being shared. A duty to notify referral should not be relied upon to safeguard victims. Existing safeguarding processes should still be followed to provide any owed duties to that person.

## Children

Children do not need to consent to a referral into the NRM, but when they turn 18, they can withdraw the referral if they wish. Modern slavery and human trafficking against children is child abuse. When an agency encounters a child who may have been exploited or trafficked, local authority children's services should be notified immediately.

A referral into the NRM does not replace or supersede established child protection processes, but should complement the statutory package of support. Child victims should always be supported using existing child safeguarding measures and local protocols. Unaccompanied children under 18 will not be placed in Salvation Army accommodation. They should always be accommodated by the responsible local authority or social care team.



## The Digital National Referral Mechanism (NRM) and Duty to Notify (DTN) continued

### Accommodation

In cases where The Salvation Army Modern Slavery Team support/safe accommodation are required, The Salvation Army Modern Slavery Team will need access to the potential victim to carry out a needs assessment. This can be completed by telephone but may need to be face-to-face on occasion. The Salvation Army may allocate safe accommodation through their network of providers if the individual is high risk/needs and/or homeless and destitute, subject to initial assessment of eligibility and risk and if they are satisfied it is safe to take over duty of care.

Depending on the circumstances of the discovery of the potential victim, there may be instances whereby the local authority may need to provide an initial few nights' safe accommodation until such time The Salvation Army takes over the duty of care. This may also be required pending ongoing police investigations, time of day/night, the location in which the potential victim is discovered, or the Modern Slavery Team response time.

If there is low risk to the victim and they have recourse to public funds, it may be that they are accommodated by the responsible local authority with The Salvation Army providing outreach NRM support.

### NRM support

Following referral from a first responder organisation, the single competent authority (SCA) will make a Reasonable Grounds decision to determine whether it 'suspects but cannot prove' that an individual is a potential victim of modern slavery.

This decision should be made within five working days of referral, where possible. Following a positive Reasonable Grounds decision, a potential victim will receive a Recovery Period of at least 45 calendar days and will be able to receive support via the Victim Care Contract.

The SCA will make a Conclusive Grounds decision no sooner than 45 calendar days after the reasonable grounds decision, to determine whether 'on the balance of probabilities' there are sufficient grounds to decide that the individual is a victim of modern slavery. This decision is based on the evidence made available to the SCA.

Following a positive Conclusive Grounds decision, victims will be exited from support only when appropriate to do so. Victims with a positive Conclusive Grounds decision will receive at least 45 calendar days of support during the move-on support period. A recovery needs assessment will be conducted to determine the needs of the victim upon exiting NRM support.

**Note:** It is extremely important to understand that a referral into the NRM does not always automatically provide the victim with safehouse accommodation out of area. This responsibility sits with the local authority as part of their normal homelessness and housing owed duties.

# Local authority housing enforcement powers

## Housing Act 2004

Local authorities have powers under the Housing Act 2004 to calculate the seriousness of certain hazards and take enforcement action against building owners or landlords based on their assessment.

The local authority has powers of entry under Section 239 of the Housing Act 2004 if they consider that a survey or examination of any premises is necessary if:

- 1) satisfactory standards of management are not being observed
- 2) the licence requirements for a particular House of Multi Occupancy (HMO) are not being met
- 3) there is suspicion that a threat or hazard is present, causing risk to any occupants

The Act gives local authorities powers to intervene where they consider housing conditions to be unacceptable, based on the impact of hazards on the health or safety of the most vulnerable potential occupant.

Representatives of the local authority must have written authorisation from an appropriate officer of the housing authority which sets out the purpose for which the entry is authorised and must give at least 24 hours' notice to the owner or occupier of the premises they intend to enter.

However, under Section 240 of the Housing Act 2004, as long as certain conditions are met, a warrant can be applied for to facilitate entry to a property sooner than 24 hours. This is particularly important as giving 24 hours' notice to the owner of an illegal HMO might tip off any potential exploiters or the occupants/victims, giving them the time to leave or clear the property prior to any visit by the local authority.

A local authority exercising the power of entry may do any of the following only if they believe it necessary for the purpose for which the power is being exercised:

- 1) take other persons with them\*
- 2) take equipment or materials
- 3) take measurements or photographs or make recordings
- 4) leave recording equipment on the premises for later collection
- 5) take samples of any articles or substances found on the premises.

\*Local authorities will normally take a locksmith as part of a warrant, plus police officers for any potential breach of the peace.



### Evaluation form for attendees

	Strongly Agree	Agree	Neither Agree nor Disagree	Disagree	Strongly Disagree
Today was relevant to me					
The scenario was useful					
Today was good for networking					
My knowledge on how to respond to modern slavery has improved today					
My knowledge of partners working on modern slavery has improved today					
From today, there are changes that need to be made in my organisation to make sure we deal with modern slavery more effectively					
I know who to talk to if I need support or guidance on modern slavery					
I am confident in referring into the NRM (first responders only)					

If the workshop identified changes you need to make within your organisation, please give details:

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Does your organisation require any further assistance from your regional Modern Slavery Partnership regarding modern slavery? Please leave a contact email if you'd like someone to get in touch about this.

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Email Address:

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Any further comments about the workshop:

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## Evaluation form for Modern Slavery Partnership Coordinators

After the workshop, please fill this out and email a copy to Alicia Kidd at [Alicia.kidd@hull.ac.uk](mailto:Alicia.kidd@hull.ac.uk)

1. Which workshop did you run?

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2. What date did you run the workshop?

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3. How many people attended the workshop?

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4. Did the workshop help engage partners that you have not previously worked with? If so, which partners?

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5. Did you identify any new examples of best practice through the workshop? Please give details.

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6. Did you identify any gaps in provision through the workshop? Please give details.

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7. Was there anything you felt was missing from the workshop? Please give details.

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8. Was there anything you would change about the workshop? Please give details.

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9. Are you likely to run the workshop again?

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10. Please provide some of the key pieces of feedback that came from the attendees.

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11. Any other comments.

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# Modern slavery workshops

WORKSHOP TWO

## Businesses

## Guidance document

This workshop is aimed at businesses who are based in the region covered by your Modern Slavery Partnership. The workshop revolves around working through a scenario of a potential real-life situation that UK businesses would have to deal with. The number of attendees you invite depends on your venue, but for the most effective conversations we recommend having 2-4 break out groups (ideally in separate rooms) with around 8-12 people in each. There should be a separate person to act as a facilitator for each group. While knowledge of the topic is not essential, ideally these facilitators would have facilitation experience. If there are multiple attendees from one business then we recommend splitting them into different break out groups.



Once attendees are confirmed, the groups should be allocated. Please print the enclosed sign-in sheet ahead of the workshop. There is a column in this sheet to make a note of which group each attendee is allocated to. This should be clarified with attendees on arrival, and they should remain in the same group for the duration of the event. We suggest inviting a key business partner to act as the opening speaker.

The scenario is split into five main parts. Once the groups have separated for their first break out session, the facilitators for each group should read out Scenario Part One to their groups and invite them to discuss the scenario (i.e. all groups discuss the same part of the scenario at the same time). The purpose of the facilitators is not to tell their group how to deal with the scenario, but to encourage conversation between the group members so that they can tackle the problem (attendees are not expected to fully resolve the scenario, just to identify what their best response to the information provided would be). There may be a requirement for the facilitators to make suggestions of ideas that people may not have considered, or to steer the conversation either if it gets off track, or if time is getting short. Facilitators should make note of any best practice and any actions or gaps that need to be dealt with. It is suggested that these actions are raised and allocated at your next Modern Slavery Partnership meeting.

Each group will work through Scenario Part One, then everyone should come back together to feed back. The feedback sessions should be facilitated by the Coordinator of your Modern Slavery Partnership. You might choose to ask one group to feed back after each session, or you may prefer to ask for a couple of key points from each group. The feedback sections of this document offer a list of suggested discussion points for each feedback session. The person facilitating the feedback sessions should raise some of these points for open conversation, then run through the 'Advised Action' section, allowing time for discussion.

The groups will then break out for Scenario Part Two and come back to feed back, and so on. At the end of the event there should be time for questions and for attendee evaluation forms to be completed. These evaluation forms are for you to keep to help in the development of your partnership and in identifying the needs of partners. There is also an evaluation form about the success of the workshop for you to complete and return to us.

## Equipment

- You may want to provide name badges if people haven't worked together before.
- You will need flipchart paper and pens to take notes from each group.
- You may need PowerPoint facilities if any opening speakers require them.
- You may wish to print and photocopy the scenarios so there are a few hardcopies available for each group. A photocopy symbol  has been included at the top of relevant pages in this document.
- You will also need to print and photocopy the package of handouts at the end of this workshop along with the Evaluation Form for Attendees, so that all attendees have access to them on the day. The photocopy symbol  marks the relevant pages. Please keep these evaluation forms; they are to help you to identify any potential needs or actions to be addressed by your Modern Slavery Partnership.

Proposed agenda:

# Modern slavery workshop – businesses

<b>8.30am</b>	Refreshments and registration
<b>9am</b>	Welcome and summary of the day
<b>9.10am</b>	Opening speaker
<b>9.20am</b>	Breakout and introductions
<b>9.30am</b>	Scenario part one
<b>9.45am</b>	Feedback part one
<b>10am</b>	Scenario part two
<b>10.20am</b>	Feedback part two
<b>10.35am</b>	Scenario part three
<b>10.55am</b>	Feedback part three
<b>11.10am</b>	Coffee
<b>11.20am</b>	Scenario part four
<b>11.35am</b>	Feedback part four
<b>11.50am</b>	Scenario part five
<b>12.10pm</b>	Feedback part five
<b>12.25pm</b>	Summary, questions and evaluation forms
<b>12.45pm</b>	Close







## Scenario part one

Allow time for introductions.

One of your staff members comes to you with concerns about one of the workers. He seems to be wearing the same clothes every day and doesn't seem to be washing.

### Things to consider:

- Does this cause you any concern?
- What action, if any, do you take?

## Feedback part one

### Discussion points:

- Does the fact that someone is wearing the same clothes every day cause you concern?
  - It may be nothing more than a case of poor personal hygiene
  - It could be a sign that they don't have enough time to wash their clothes
  - However, it could be a sign that they don't have the facilities to wash their clothes or money to buy more than one set

### Advised action:

- Thoroughly check your HR systems to gather as much information as possible about this worker. Useful things to check: What is his job and where does he work in the company? Is he an agency worker or directly employed? Has he signed a contract? Who is his next of kin? Where does he live? Do any other workers live at the same address? Can he speak English? What is his wage? Is he paid directly into his own bank account?
- Inform HR/Ethical Team of the concerns; they should begin making records of all the information gathered.
- It is essential the worker or others potentially connected with the situation are not aware of the tip off as this would risk them removing themselves from the situation before support (if required) has been put in place.
- Be prepared that if this does transpire to be a situation involving exploitation, there is a likelihood that there will be more than one victim.

### Potential further action:

- To verify whether there is any weight behind the concern, try to validate the information you've been given.
  - Check CCTV footage of the individual in question to try to identify whether there is anything else that may be of concern. While CCTV footage may only be of the perimeters of the buildings, this may allow you to collect information on who they travel to work with and how they get to work – including whether they are being dropped off and collected by someone else.
  - You should limit the number of people who know that you are checking the CCTV.
  - You should think about where you are going to store the CCTV. If this case progresses to cause concern, then this would become documentary evidence which could later be used in court. You will need to keep track of the evidence.



## Scenario part two

The HR checks show that this worker is an agency worker. You check the sheet that logs all the workers' hours. It says the worker in question works exactly 40 hours per week, Monday to Friday, 9am–5pm. Looking through the paperwork, it says the same thing every week for the past three months – when the worker started. However, you have been on site for the previous two weekends and remember the individual working on both Saturdays.

### Things to consider:

- What do you do next?
- Do you have concerns about anyone else?
- Should you speak to him?
- Why aren't his hours being properly recorded?

## Feedback part two

### Discussion points:

- The worker is working hours that aren't being logged.
- Who is signing workers in and out? The fact that the worker has been working weekends that haven't been included on the timesheet suggests that someone else is filling in the timesheet for workers. This could just be an oversight if it is presumed that workers are working the same shifts every week. However, it could be an issue to raise with the management of the site.

### Advised action:

- If your business is one in the Gangmasters and Labour Abuse Authority (GLAA) licensing sector (processing and packaging of all fresh food, drinks and other produce, agriculture, horticulture, shellfish gathering), ensure that the labour supplier has a licence via an active check with the GLAA.
- If your business is not in the GLAA licensing sector, you should report this information to the Employment Agency Standards Inspectorate.
- Based on the HR and CCTV checks, you should now have built up a picture of who the worker is.
- Make a note of the times you have seen him on site that don't correspond with the timesheets.
- Do not speak to the worker about your concerns; you don't yet have enough evidence to know that there is an issue or – if there is – to confirm that he is not an exploiter himself.
- Check whether the workers are signing themselves in and out or if someone else is doing it for them.
- If possible, compare CCTV footage to rotas to identify if the people working are the people who are meant to be working and if there are any patterns.
- Safeguarding should always be the priority.



## Scenario part three

You check CCTV footage and corroborate that the worker had been working on Saturdays, even though his timesheet does not have him working at weekends. He is being paid by your company via the agency for 40 hours per week, which corresponds to the hours on the timesheets. With the information about the worker having been working on Saturdays but not being paid for them, you suspect that he is substituting for another worker by taking the place and identity of another agency worker who is being paid for this Saturday work.

The CCTV footage also confirms the concern raised by the staff member that the worker is wearing the same clothes every day. You continue looking through the CCTV footage and identify that the worker arrives every morning with two other workers – they are dropped off in the car park and picked up together at the end of the day. They spend their break times together but have no food at lunch times.

### Things to consider:

- How can you verify your concerns?
- How can you check if this is happening with other workers?
- What action do you take regarding this substituting of labour?
- What do you take from the fact that he is always in the same clothes?
- What do you take from the knowledge that he arrives and leaves with the same people?
- Should you be concerned that the workers are being dropped off and collected by another person?
- Should you be concerned that they don't bring lunch?

## Feedback part three

### Discussion points:

- Introduce the work of the Gangmasters and Labour Abuse Authority (GLAA) – who they are, what to do and when to report to them (see handout).
- Introduce the Employment Agency Standards Inspectorate (see handout).
- Is there a way you can provide food to these workers without making it known that you are concerned for them?
- There is a possibility that the other workers he arrives and leaves with are being exploited too, or are potentially exploiters themselves.

### Advised action:

- Use your systems and CCTV to identify who the people are that the worker is arriving with as they may also be at risk (or part of the problem).
- Check records to see if there is someone else who is being paid for those Saturday shifts but who hasn't actually been on site.
- The Technical Manager or Site Supervisor should be able to identify any discrepancies between workers on the timesheet and those working the shifts.
- Check that the photos on contracts correspond to the people who are turning up to shifts.
- Access older files to understand the timescales of the issue – has it only been happening for the last three months, or for much longer with other workers? Do those timescales coincide with any particular staff?
- You should try to establish these facts without alerting the workers to the fact that you are doing so.
- Once you have gathered information, you should be able to identify whether this worker is substituting for another worker
  - If he is, protect the evidence and your staff and report your findings to the GLAA.
  - If he is not, continue to gather evidence and monitor the situation.
- Before you report on this, ensure your senior team challenges the evidence and helps you decide whether you SHOULD report at this stage. Try to understand the ramifications of the next step. For example, if you don't know the full extent of the issue, there is a risk of a wider exploitative gang being dispersed if authorities come in, meaning you won't reach all the people that need help.
- It is advisable to start establishing relationships with support agencies like local police, the local authority, GLAA, the Employment Agency Standards Inspectorate and Crimestoppers before you have to rely on them.

In order to get ahead of situations such as this one, the GLAA recommends implementing a worker interview strategy which involves regular face-to-face conversations with workers and will help to identify any potential issues (see handout).



## Scenario part four

1) You have now reported your concerns to the GLAA and the Employment Agency Standards Inspectorate who have asked if it's possible for you to speak to the worker to find out more about the situation.

### Things to consider:

- How and where should you conduct the conversation?
- Do you need an interpreter?
  - If so, where will you source one from?
  - Could you use another worker to translate?

2) During the conversation, the worker tells you that he is living in a house with seven other people and no running water. He tells you he works six days per week and gets £10 in cash at the end of every week, so he can't afford new clothes. He doesn't have access to his bank account. You check your systems and confirm that your company is paying the agency his wage for 40 hours per week. You pass this information on to the GLAA and they take over the case.

- What would you do next?



## Feedback part four

### Discussion points:

- Do you have a suitable space to hold this conversation?

### Advised action:

- Try and find a time to have the conversation that will not alert other people to the fact that it's happening, e.g. don't take him out in the middle of a shift.
- This conversation with the worker forms part of your due diligence. The GLAA will be able to offer you guidance.
- Ensure that the conversation is conducted in private and that no one sees it is happening. It is worth identifying a suitable space imminently so you know there is a place for such conversations to be conducted should it ever be required.
- **Do not use another staff member as an interpreter** – you don't know who else is involved at this point.
- Use a language telephone service.
- Ideally two staff members should be present when speaking with the worker so one can take notes. Identify who those people should be and who will take which role.
- Ensure you have as much information as possible about the worker prior to the conversation (from HR and CCTV checks for example).
- Ideally, no one else should be aware that this interview is happening at all, in case information gets back to the exploiters who disperse the gang before the authorities have had chance to intercept.
- Keep the conversation as short as possible, just using key questions to get all the information you need. Again, GLAA can offer advice on this.
- If the worker needs immediate safeguarding, then you should call the police.
- Be prepared for the possibility that the worker could confirm that they are in trouble but don't want help. You could still report this anonymously to the GLAA or the Employment Agency Standards Inspectorate.

**Once the GLAA or the Employment Agency Standards Inspectorate take over the case, your job is to support the investigation. You should:**

- Protect the evidence. Record, date and securely store anything you are told.
- Protect your staff. Any staff that are aware of the case must not discuss it with anyone else.
- Protect the victim. If the exploiters are NOT aware of the report, and the authorities are unable to attend immediately, then the best protection is to return the worker to the status quo until the authorities arrive. This enables the time to get all of the resources together without raising suspicion with the exploiters.
- If the authorities can attend straight away, then safeguard the victim until their arrival.



## Scenario part five

The press have picked up on the case and have reported that your business has been hiring workers from a supplier that has been exploiting them.

### Things to consider:

- Do you respond to these media reports?
  - If so, how?
- Will there be any impact on your customers/stakeholders?
- How do you proceed with the supplier?
  - Would you end the contract with them?

Now you have experience of this happening, what processes would you put in place in case something similar happens again?

## Feedback part five

### Discussion points:

- What are the pros and cons of responding to the media reports?
  - It could be better to flag to the media that you have found a situation and are handling it than letting the media control the situation. You could spin it into a positive that you are proactively investigating your supply chains.
  - You can tell the media that you're unable to talk about a case that is currently being handled for risk of jeopardising it.

### Advised action:

- You should have a media policy in place before it is required and this should be discussed during crisis response meetings.
- If relevant, undertake a GLAA 'active check' on the labour supplier. This will keep you informed of any changes to the labour supplier's GLAA licence.
- Comms teams need to be linked in as soon as an issue is identified and decisions need to be made about any partners that need to be informed before any media response.
- Arrange a meeting between yourselves, GLAA, the Employment Agency Standards Inspectorate and your customers/stakeholders to plan for the next steps. This shows to your customers/stakeholders that you are keen on a positive solution and have been a key part in supporting the workers throughout the process.
- While it can seem logical to end the contract with the supplier, this risks further exploiting anyone currently being controlled by them. Instead, provide the supplier with a list of requirements and a date by which they must meet them. Only if significant progress has not been made towards those requirements by that date should the contract be ended.
- Pathways
  - Consider advertising methods for reporting issues anonymously, such as posters with the Crimestoppers website and phone number.
  - Make sure that your pathway for dealing with such situations is made clear to all staff and they have easy access to relevant phone numbers in case of an emergency.
- Staff knowledge
  - Make it known that you can help a potential victim.
  - Provide staff with information on what their entitlements are (minimum wage, not being charged for finding work etc.).
  - Do not share your tactics for identifying and supporting potential victims (because with this knowledge, the exploiters will then be one step ahead).
  - Conduct regular worker interviews (see handout).

## Summary

### 1. Open to the audience:

- Are there any questions about the scenario?
- Is there anything from today that will lead you to make a change in your organisation?
- Is there anything you need more advice on?
- Have you identified any gaps in provision that need to be tackled?

### 2. Actions:

- Have any actions been identified today that need to be addressed?
- We recommend that any actions arising from the workshop should be discussed at your next Modern Slavery Partnership meeting.

### 3. Closing points:

- Ask everyone to fill out the attached evaluation form.
- Closing comments.

The background is a solid blue color. Overlaid on this are several thin, white, continuous lines that form abstract, flowing shapes. One line starts from the left edge, loops upwards and to the right, then curves back down and to the left. Another line starts from the top left, loops around, and then extends towards the right edge. A third line starts from the bottom left, loops upwards and to the right, and then curves back down and to the left. These lines create a sense of movement and depth.

**WORKSHOP TWO**

# **Handouts**



## Gangmasters & Labour Abuse Authority

### Who we are

The Gangmasters and Labour Abuse Authority (GLAA) is the foremost investigative agency for labour exploitation in the UK. We work in partnership with law enforcement bodies to protect vulnerable workers and disrupt organised criminality in the labour market.

Across the UK, we have positive existing relationships with many Modern Slavery Partnerships which we are keen to build on. We fully support your work and believe there are lots of areas where we can work together to uphold workers' rights and bring those responsible for exploitation to justice.

### Our powers and remit

We were created following the 2004 Morecambe Bay cockling disaster to prevent the exploitation of workers in the fresh produce sector. In 2017, we were rebranded and given new powers to also investigate labour exploitation offences, including the forced or compulsory labour element of modern slavery, across England and Wales.

We operate a licensing scheme, regulating businesses who provide workers for agriculture, horticulture, shellfish gathering and food production, to make sure they meet the employment standards required by law.

Labour providers are assessed to check they are meeting our licensing standards which cover health and safety, accommodation, pay, transport and training. We also investigate and prosecute unlicensed gangmasters.

In England and Wales, we use our new powers to investigate forced or compulsory labour and human trafficking offences. We also utilise powers under the Immigration Act 2016 to issue Labour Market Enforcement Undertakings (LMEUs) and Labour Market Enforcement Orders (LMEOs) which can be used as an alternative or additional sanction for breaches of labour market legislation..

### Prevention and partnerships

We are aware that we simply cannot arrest our way out of the problem of labour exploitation. In the long-term, prevention will have the biggest impact in raising awareness and driving the real business and consumer change needed to ensure the wider public accepts that exploiting people for their labour is completely unacceptable.

We have active protocols currently in construction and textiles, with plans in place for a further industry-led protocol covering the hospitality sector.

### Report your concerns

- By telephone on 0800 4320804
- By email at [intelligence@gla.gov.uk](mailto:intelligence@gla.gov.uk)
- Through our website <https://www.gla.gov.uk/>
- To the Modern Slavery Helpline on 08000 121700



## Gangmasters (Licensing) Act 2004

The Gangmasters (Licensing) Act 2004 established the Gangmasters Licensing Authority (now renamed the Gangmasters and Labour Abuse Authority - GLAA) to set up and operate the licensing scheme for labour providers operating in the regulated sectors in the UK. These include agriculture, horticulture, shellfish gathering, and any associated processing and packaging. It also created the offences of acting as an unlicensed gangmaster and using an unlicensed gangmaster. The GLAA is a non-departmental public body sponsored by the Home Office, and also reports to the Director of Labour Market Enforcement. It issues licences and ensures compliance through inspections.

Gangmasters must meet required standards to be licensed, and are assessed for health and safety, accommodation, pay, transport and training. The GLAA checks that they are fit to hold a licence and that tax, National Insurance and VAT regulations are met. It is a criminal offence to supply casual workers without a licence or to use an unlicensed labour provider.

The Act creates a number of offences with heavy penalties. Under S12(4) offenders can face 10 years' imprisonment for operating without a licence. Under S13, people who deal with unlicensed gangmasters can face 51 weeks jail, unless they can show they took all reasonable steps to establish that the gangmasters were licensed.

[www.legislation.gov.uk/ukpga/2004/11/contents](http://www.legislation.gov.uk/ukpga/2004/11/contents)

# Advice from the Gangmasters and Labour Abuse Authority (GLAA)

In order to stay ahead of situations like the one outlined in this workshop, best practice as suggested by GLAA is for companies' HR departments to conduct worker interviews at regular intervals, at least every three months. While audits are useful for identifying some issues relating to the operating of sites, they don't interact with workers on a one-to-one basis, which is why individual interviews can be so valuable. Getting to know your workers is a way of showing that you are proactive about due diligence.

This process does not have to be overly complex or onerous, but it should be introduced as a matter of organisational requirement, so workers understand that any interviews are simply standard practice. If your company is supplied by agency staff, then the interviews allow the opportunity to better understand the process of their recruitment and enable you to identify any obvious issues in your supply chain.

## The process:

1. Workers should be spoken to on an individual basis in a private area where conversations won't be overheard.
2. Ahead of time, ensure you know if there are any potential language barriers. If there are, you should not use another worker as an interpreter, but use the services of a dedicated telephone interpreting service. You should ensure that you have budgeted for this expense.
3. The person leading the interview should make it clear that all workers are interviewed and that this is standard practice. This helps to remove suspicion when workers are taken aside for these interviews.
4. The interview should take the form of a casual conversation, with some specific questions embedded within it.
5. Questions to cover include, for example:
  - How did you get this job?
  - Did you have to pay for work?
  - Do you owe anyone any money?
  - Where do you live?
  - How did you find the accommodation?
  - How do you get paid?
  - Do you have access to your own bank account?
6. If, during the interview, the workers mention anything that causes concern, or are unable to answer any of the questions, then do not probe them.
7. If any issues become clear then safeguarding should be the first priority. If more than one indicator for exploitation becomes evident, then you should contact GLAA for specific advice.
8. If a worker does not want to engage, or refuses to answer questions, then this is indicative that further enquiries should be made regarding this worker and their circumstances.



# Health and Safety at Work etc. Act 1974

Arguably this legislation set out how businesses must ensure the “health, safety and welfare” of people on their premises long before the Modern Slavery Act 2015 made its explicit provisions. The wide ranging duties it imposes on businesses apply not just to employees but also to anyone else on their premises, including temporary staff, casual workers, the self-employed, clients, visitors, and the general public.

## The duties that the Act imposes include:

- a safe system of work
- a safe place of work
- safe equipment, plant and machinery
- safe and competent people working alongside you, because employers are also liable for the actions of their staff and managers
- carrying out risk assessments as set out in regulations, and taking steps to eliminate or control these risks
- informing workers fully about all potential hazards associated with any work process, chemical substance or activity, including providing instruction, training and supervision
- appointing a ‘competent person’ responsible for health and safety (competent persons, such as a head of health and safety, oversee day-to-day safety management, oversee safety inspections, and liaise with staff safety reps)
- consulting with workplace safety representatives (if a union is recognised, your employer must set up and attend a workplace safety committee if two or more safety reps request one)
- providing adequate facilities for staff welfare at work.

The Act is the basis of many Approved Codes of Practice (ACOPs) for businesses, which set out detailed responsibilities for business with regard to all aspects of workplace health and safety, from working safely with computers, to stress and hazardous chemicals. The Act also provides the basis for some regulatory powers that can assist in the identification and disruption of modern slavery, such as powers of entry (Section 20). This gives local officers the power to enter a business premises and request to examine any document, equipment, premises or part of them, and detain any articles or substances. The authorised officer has the right to enter at any reasonable time upon producing documented authorisation and may be accompanied by the police.

The Act established the Health and Safety Executive (HSE) and contains powers for the HSE to be able to enforce these duties and to issue penalties for failure to comply.

[www.legislation.gov.uk/ukpga/1974/37](http://www.legislation.gov.uk/ukpga/1974/37)

# International Labour Organization Protocol of 2014 to the Forced Labour Convention, 1930

This international protocol supplements the Forced Labour Convention, 1930 (No. 29), and provides specific guidance on effective measures to be taken to eliminate all forms of forced labour. It requires national government to take measures to better protect workers, in particular migrant labourers, from fraudulent and abusive recruitment practices and emphasises the role of employers and workers in the fight against forced labour.

The primary obligation of the protocol is for government to not only criminalise and prosecute forced labour, but also to take effective measures to prevent forced labour and provide victims with protection and access to remedies, including compensation. It also sets out a number of provisions within that, which include:

## Prevention (Article 2)

- Educating and informing those considered vulnerable, employers, and the wider public.
- Extending the coverage and enforcement of relevant laws to all workers and sectors.
- Strengthening labour inspection services and others responsible for implementation of these laws.
- Protection from abuses arising during the recruitment process.
- Supporting due diligence by the public and private sectors.
- Addressing root causes and factors that heighten the risks of forced labour.

## Protection (Article 3 and 4(2))

- Effective measures for the identification, release, protection, recovery and rehabilitation of victims.
- Protecting victims from punishment for unlawful activities that they were compelled to commit.

## Implementation and consultation (Article 1(2))

- Development of a national policy and plan of action in consultation with employers' and workers' organisations.
- Systemic action taken in coordination with these organisations as well as with other groups concerned.

[www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100\\_ILO\\_CODE:P029](http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100_ILO_CODE:P029)

# Modern Slavery Act 2015: Section 54 – Transparency in Supply Chains

Section 54 of the Modern Slavery Act 2015 brought into force the Transparency in Supply Chains Regulations with effect from 29 October 2015 - with the new measures applicable to financial years ending on or after 31 March 2016.

The main requirement of the act is for any commercial organisation with a global turnover of at least £36 million which undertakes a business, or part of a business, in the UK, to produce and publish a slavery and human trafficking statement for each financial year.

Whilst the regulation is not prescriptive on what must be included in the statement, it suggests some types of information that may be included:

- Details of the organisation's structure, business and supply chains
- The organisation's policies in relation to slavery and human trafficking
- The due diligence processes the organisation undertakes in relation to its business and supply chains
- Identification of those parts of the organisation's business and supply chains where there is a risk of slavery and human trafficking occurring, and the steps it has taken to identify and address those risks
- The training available to the organisation's staff about slavery and human trafficking
- The organisation's effectiveness, year-on-year, in ensuring that slavery and human trafficking is not taking place in its business and supply chains (measured against those performance indicators it considers appropriate)

The statement must be published on the business's website (if applicable), with a clearly marked link to the statement in a prominent place on the homepage. Where an organisation has more than one website, the statement, or a link to it, must be included on each website. Businesses without a website must provide a copy of the statement to anyone who requests it within 30 days of a request being made.

Failure to comply with the regulation opens up a business to enforcement proceedings seeking an injunction from the Secretary of State. If the organisation fails to comply with the injunction, then it will be in contempt of court and liable to an unlimited fine.

Businesses with a turnover below £36million may still be required to produce a transparency statement as part of procurement processes within their supply chain, as the larger businesses seek to comply with the regulation.

[www.legislation.gov.uk/ukpga/2015/30/section/54](http://www.legislation.gov.uk/ukpga/2015/30/section/54)

# Employment Agency Standards (EAS) Inspectorate

The EAS Inspectorate is the regulator of employment agencies and employment businesses, and enforces the laws that protect agency workers, including the Employment Agencies Act 1973, and the Conduct of Employment Agencies and Employment Businesses Regulations 2003. It is a part of the Department for Business, Energy and Industrial Strategy (BEIS). The inspectorate provides guidance on what employment agencies and businesses must and must not do, differentiating between **employment agencies** who introduce persons to employers, and **employment businesses** who find temporary and contract work.

An important part of an **employment business** is to provide workers with a Key Information Document (KID), intended to outline pay related facts and other details about an engagement. An **employment business** must agree terms of engagement before starting any work-finding services, and these terms should include:

- Worker status i.e. employee or self-employed
- The notice period to end an assignment
- The minimum rate of pay
- Any entitlement to paid holidays

Regarding specific opportunities, both **employment agencies and businesses** must outline to the worker:

- The start date and how long the contract may last
- The identity of the hirer
- The duties to be undertaken
- Details of any expenses
- The location and hours of work
- Any health and safety risks
- Any experience, training or qualifications needed for the role

Both **employment agencies and businesses** must confirm evidence of a worker's identity, such as a passport, driving licence or birth certificate.

Both **employment agencies and businesses** must not:

- Charge fees for providing work-finding services
- Force workers to purchase any additional services such as training or CV-writing
- Tell a current employer that a worker is looking for new work
- Stop a worker from working elsewhere
- Force a worker to tell them the identity of any future employer
- Withhold payments or wages for hours that have been worked

Whilst **employment agencies and businesses** cannot charge a fee for finding work, they can provide or refer workers to other paid services, such as a Disclosure and Barring Service (DBS) check, or an umbrella company. In these instances, detailed information must be provided up front about the cost and terms of these services, including rights, and the notice period required to cancel.



### Evaluation form for attendees

	Strongly Agree	Agree	Neither Agree nor Disagree	Disagree	Strongly Disagree
Today was relevant to me					
The scenario was useful					
Today was good for networking					
My knowledge on how to respond to modern slavery has improved today					
From today, there are changes that need to be made in my organisation to make sure we deal with modern slavery more effectively					
I know who to talk to if I need support or guidance on modern slavery					

If the workshop identified changes you need to make within your organisation, please provide some details:

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Does your organisation require any further assistance from your regional Modern Slavery Partnership regarding modern slavery? Please leave a contact email if you'd like someone to get in touch about this.

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Email Address:

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Any further comments about the workshop:

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## Evaluation form for Modern Slavery Partnership Coordinators

After the workshop, please fill this out and email a copy to Alicia Kidd at [Alicia.kidd@hull.ac.uk](mailto:Alicia.kidd@hull.ac.uk)

1. Which workshop did you run?

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2. What date did you run the workshop?

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3. How many people attended the workshop?

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4. Did the workshop help engage partners that you have not previously worked with? If so, which partners?

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5. Did you identify any new examples of best practice through the workshop? Please give details.

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6. Did you identify any gaps in provision through the workshop? Please give details.

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7. Was there anything you felt was missing from the workshop? Please give details.

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8. Was there anything you would change about the workshop? Please give details.

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9. Are you likely to run the workshop again?

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10. Please provide some of the key pieces of feedback that came from the attendees.

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11. Any other comments.

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# Modern slavery workshops

WORKSHOP THREE

## Victim care pathways

## Guidance document

This workshop is aimed at key front line practitioners who work alongside your Modern Slavery Partnership and who are looking to develop their responses to modern slavery. **It is anticipated that attendees will already have a working knowledge of modern slavery.** We suggest that invitations are extended to both strategic and operational representatives of:

- Police
- Multi Agency Safeguarding Hubs
- Children’s Safeguarding Boards
- Adults’ Safeguarding Boards
- Children’s Social Care
- Adults’ Social Care
- Local Authority Housing Options
- Emergency Care Teams
- Mental Health Teams
- Primary Care Teams

The number of attendees you invite depends on your venue, but for the most effective conversations we recommend having 2-4 break out groups (ideally in separate rooms) with around 6-10 people in each group, plus a facilitator for each group. Once attendees are confirmed, the groups should be allocated. Please print the enclosed sign-in sheet ahead of the workshop. There is a column in this sheet to make a note of which group each attendee is allocated to. This should be clarified with attendees on arrival, and they should remain in the same group for the duration of the event. To enhance knowledge sharing, we recommend that each group has a mixture of organisations represented.

The workshop should begin with a welcome from the host with a brief explanation and outline of the day. This would also be a suitable time to share any updates about modern slavery in the local area, or to provide an input on local statistics to offer context to the day. We suggest inviting an opening speaker from an organisation involved in your partnership that has a robust victim care pathway.

The workshop is divided into three main parts. There are some areas highlighted within the scenario documents which require you to input a location relevant to your partnership area. After the welcome, attendees should break out into their groups where the facilitators will read out the first scenario and share hard copies. The groups should discuss the scenario and note down how each of their agencies would deal with it then draft a simple flow chart of how their organisation would respond to this situation.





After scenario one has been discussed, all attendees should come back together for a feedback session where initial thoughts, responses, gaps and concerns can be discussed. The feedback sessions should be facilitated by the Coordinator of your Modern Slavery Partnership who should ask for key points from a small number of people and then open it up for discussion. Any points from Feedback Session One that have not already been discussed by this juncture should be read out here for consideration.

The groups will then break out again to work through a second scenario and to identify whether their initial flow charts work for this situation or whether any amendments are required. All attendees should then come back together for another feedback session.

This process will be repeated a third time to test their flow charts against a different scenario, before everyone comes together for a final feedback session and a summary of the day. At the end of the event there should be time for questions and for attendee evaluation forms to be completed. These evaluation forms are for you to keep to help in the development of your partnership and in identifying the needs of partners. There is also an evaluation form about the success of the workshop for you to complete and return to us.

At the end of the workshop, all attendees should be leaving with a drafted victim care pathway to return to their agencies with. It is anticipated that they will continue to work on these with input from their own teams until they are confident that they have a solid victim care pathway for situations of modern slavery.

### Equipment

- You may want to provide name badges if people haven't worked together before.
- You will need flipchart paper and pens to take notes from each group.
- You may need PowerPoint facilities if any opening speakers require them.
- You may wish to print and photocopy the scenarios so there are a few hardcopies available for each group. A photocopy symbol  has been included at the top of relevant pages in this document.
- You will also need to print and photocopy the package of handouts at the end of this workshop along with the Evaluation Form for Attendees, so that all attendees have access to them on the day. The photocopy symbol  marks the relevant pages. Please keep these evaluation forms; they are to help you to identify any potential needs or actions to be addressed by your Modern Slavery Partnership.

**Proposed agenda:**

# Modern slavery workshop – victim care pathways

<b>8.30am</b>	Refreshments and registration
<b>9am</b>	Welcome and summary of the day
<b>9.10am</b>	Opening speaker
<b>9.20am</b>	Breakout and introductions
<b>9.30am</b>	Scenario one
<b>10am</b>	Feedback part one
<b>10.20am</b>	Scenario two
<b>10.50am</b>	Feedback part two
<b>11.10am</b>	Coffee
<b>11.25am</b>	Scenario three
<b>11.55am</b>	Feedback part three
<b>12.15pm</b>	Summary, questions and evaluation forms
<b>12.30pm</b>	Close



### Sign-in sheet

Organisation	Name (alphabetically by first name)	Group Number	Signature



## Scenario one

Allow time for introductions.

You receive a call concerning 14-year-old Jamie who has had a consistent history of behavioural problems within school. These problems have resulted in exclusions and eventually a transfer to the Pupil Referral Unit (PRU) where his behavioural problems continued. Jamie has aggressive and physically violent behaviour and there are rumours among students that he is a drug dealer, though some students have been dismissive of this because he is so scruffy and sometimes smelly.

On one occasion he was arrested with another person for robbery. There have been numerous incidents of Jamie going missing from both school and home. On some of these occasions he went to his grandmother's home. The frequency of these events increased through 2018 and 2019. According to his mother, the duration of missing incidents in which she has no idea where he has been have also increased. The longest period was during November 2019, lasting 19 days.

Jamie now spends most of his time in [insert local area]. He has recently returned home with approximately £100 in cash and a knife which his mother disposed of. There are indications that Jamie is connected to at least two adult males that may be involved in gang related criminality and drug dealing. These males are identified as coming from [insert local area] and one of them has a history of drug dealing, violence and firearms offences.

When Jamie has left his home, he has been staying in [insert local area] and associating with people in that area that are connected to a well-established gang. When he comes home, his mother says that he is emotionally withdrawn. His skin is usually in very poor condition, he smells very badly and his clothes are filthy.

Jamie has been arrested and charged with Possession with Intent to Supply class A drugs. At the time of his arrest, he was in a car travelling to [insert non-local area], driven by Pavel Agoston, a 20-year-old Hungarian National. Jamie had a quantity of Class A Drugs, a knife and a large amount of money in a small bag strapped to his waist inside his coat. He was unforthcoming when asked about his relationship with Mr Agoston or how he came to be travelling with him. He repeated that Mr Agoston was "just a driver".

## Task

Draw up a rough flow chart of how you would deal with this information within your organisation.

## Things to consider:

- Are there any other organisations that should be informed?
- What legal duty do you have to the child or his family?
- What concerns should you have for your own staff members involved in this case?
- Are there any potential barriers to engaging with this child?
- What do you do if the child refuses to engage with you?
- Why is he carrying drugs, cash and a knife?
- Does a referral need to be made to the national referral mechanism (NRM)? If so, would your organisation complete it or would you pass the case onto another organisation - and which one (see handout on NRM).
- What advice, guidance or advocacy do the child, his parents, and his school need, and who should provide it?

## Feedback part one

The information provided in the scenario indicates that the child could be a victim of criminal exploitation whereby he has been groomed into criminal activity to run and sell drugs for a larger organised crime group.

He has been found in a vehicle driven by an adult who is not a family member and some distance from his own home and local connections. Movement for the purposes of exploitation constitutes trafficking, which means that a National Referral Mechanism (NRM) referral must be completed (consent is not required for referrals of anyone under 18 years old), however ongoing support would be provided via children's social care from the local authority rather than via the NRM (which would be the case if the potential victim was an adult).

### Advised action:

- Because the case is indicative of criminal exploitation, then a referral to the NRM must be made (see handout). Referrals can only be made by a set list of 'first responders' which include police and local authorities. If your agency is not a first responder, then you should have a plan in place as to who you would ask to make the referral.
- As well as an NRM referral, a child safeguarding strategy meeting (under S47 of the Children Act 1989 – see handout) needs to be undertaken. Children's Social Care should be involved at the outset of any professionals meeting.
- Does the child have any health needs that need to be considered? There may be underlying medical conditions or mental health concerns, or he may have sustained injuries as a result of his criminal activity.
- The child is clearly involved in illegal activity, so legal representation should be considered. If the police are contacted, would they consider arrest?
- If Jamie has committed the crimes of Possession With Intent to Supply (PWITS) class A drugs or Possession of a Bladed Article as part of his experience of exploitation, he may have the benefit of the statutory defence under S45 of the Modern Slavery Act (see handout) but this would only be available if a criminal justice route was followed. You must consider if this would be in the best interests of the child.
- Best practice is to have one key worker assigned to the case so the child and his parents have consistency and know who to go to with questions or information.
- The child has been found carrying drugs; the possibility that he is also taking drugs should be considered. Consider referral to substance misuse services if drug taking is suspected.
- Consider the security of the family dwelling, it is likely that the organised crime group will know where the family lives and may target the family or dwelling if the exploited child tries to separate himself from the group.
- Social care should keep the school informed, as the child would have a dedicated social worker in the locality of the school.



## Scenario two

Mai Pham (dob 9.12.2019) is currently in a mother and baby foster placement with her mother Hue Tran. She was discharged to this placement, with mother's agreement, from your local hospital. Mai had suffered a skull fracture. Ms Tran has been unable to provide any explanation for the skull fracture and swelling.

When she presented at the hospital with Mai, ward staff were concerned by the presence and behaviour of a friend named as Mrs Ly who was evasive when asked about her relationships to Ms Tran.

**With the assistance of an interpreter, the following story emerges.**

Ms Tran grew up in Vietnam. She responded to an advertisement from an agency that offered work abroad and promised to arrange transport and accommodation in addition to finding work. She paid £31,000 in exchange for travel, accommodation and employment. The agent required her passport, birth certificate and Identity Card. The money was raised by her parents through loans. She explained that the agency had told her and her family that whilst it was a lot of money, she would earn sufficient to not only pay it back but to make a profit after two years.

She travelled by aeroplane from Hanoi with an agent; she did not know which country she arrived in. She was driven by taxi to a warehouse building and told that she would have to work as a prostitute and that if she did not comply she would be beaten. There were other women in the warehouse and one of them explained they were in England. After some months, Ms Tran realised that she was pregnant and, upon telling the agent, was abandoned on the streets where she gave birth to Mai.

Whilst on the streets, another Vietnamese woman, Mrs Ly, approached Ms Tran and showed interest in Mai. She invited Ms Tran to come to live in her house with her, her husband and two children. Ms Tran slept in the kitchen on a bed roll, while Mrs Ly had Mai sleep in her room. In exchange for accommodation, Ms Tran was required to do all the cooking and cleaning and care for Mrs Ly's children as well as Mai. She had to get up at 5.30am every day and would not get to bed until 11pm, having to wait until everyone else had gone to bed first. She was not permitted to leave the house and Mrs Ly warned her that she would be arrested if she did, because she was in the UK illegally.

Ms Tran's status in the UK remains unregularized but Mrs Ly has completed an application for a passport for Mai.

### Task

Run this scenario through the flow chart you prepared in the previous session. Does the flow chart account for all the issues raised here? If not, please make any additions or amendments.

### Things to consider:

- There has been an injury to the child. How do you ensure that mother and child are safe?
- Which other organisations need to be informed, and at what point?
- Where should your input end?
- Immigration status
- Control of Mrs Ly, and the agent that brought her from Vietnam
- The debt that Ms Tran's family got into
- Are there any cultural implications that need to be considered?



## Feedback part two

In this scenario, there are multiple indicators to suggest that Ms Tran has been trafficked from Vietnam into the UK for sexual exploitation. It appears she has been subsequently re-victimised by Mrs Ly. NRM referrals are obligatory in the case of anyone under 18 (or anyone who claims to be under 18 unless they are proven to be otherwise), however, adults must consent to a referral. Mai has not been trafficked but may have been used as leverage to control Ms Tran. An application has been made to gain a passport for Mai which is very suspicious.

### Advised action:

- A multi-agency response that includes the UK Border Agency, Police and Social Services is vital.
- Mai may have suffered a non-accidental injury; this must be investigated as a child suffering or likely to suffer significant harm (Children Act 1989, S47).
- A first responder would need to make an NRM referral (see handout).
- If Ms Tran does not consent to be referred into the NRM then her immigration status would trump her status as a potential victim of modern slavery.
- If they are accepted into the NRM then the agency caring for them would take on the responsibility for applying for leave to remain.
- Ms Tran is entitled to immigration advice. Who would you refer her to?
- There is a language barrier, so you need to have an interpreter available for all interactions. The lead agency should organise and pay for this.
- The UK Border Force would deal with anything relating to immigration status and getting new ID documents.
- Regardless of immigration status, the local authority still has a duty to support Mai. The safeguarding of any minor should always precede any immigration enforcement.

## Scenario three

A resident has made a noise complaint about a neighbouring property that has people coming and going at all hours of the day. You visit the property and discover that it is a three-bedroom House of Multi Occupancy (HMO), yet it is not registered as one. An adult male answers the door and you discover that the house is occupied by four Romanian adults. With the assistance of an interpreter, you establish that there are two men and two women living at the property. The two men left Romania together to live and work in the UK. For the first week they stayed with a friend who said he could find them work. The friend found them work in a recycling plant where they now both work 8 hours per day, six days per week, earning £100 per week each. Accommodation is provided for them at this house and they are happy with the arrangement.

Only one of the women is home. She tells you that back in Romania she met a man and fell in love with him, but he worked in the UK so she agreed to move here to be with him. When she got to the UK he took her passport and forced her to work in a brothel. He beat her and starved her when she refused, so she eventually gave in. She shares a bedroom with the other woman who lives in this house. The other woman is also forced to work in the brothel which is where she is now. They are so frightened of the man controlling them that they haven't told anyone about the situation.

### Task

Run this scenario through the flow chart you prepared in the previous sessions. Does the flow chart account for all the issues raised here? If not, please make any additions or amendments.

### Things to consider:

- Are there any other organisations that need to be informed?
- What action needs to be taken about the unregistered HMO?
- The men are not being paid the minimum wage but are happy with their arrangement. What do you do about this?
- Consider the possibility that the men know about the women's situation; how should this be dealt with?
- How will you engage with the other woman? And what would you do if she refuses to engage?
- There may be immediate health needs and the women should be referred to a sexual health service.
- Consider whether there might be any immediate risks to the safety of any of the occupants.
- Does an NRM referral need to be made? If so, who makes it?

## Feedback part three

In this scenario, there are clear indicators of labour exploitation for the Romanian males who are earning around £2 per hour. It is also apparent that the women are being held for the purposes of sexual exploitation and that the woman you have spoken to has been trafficked. All are adults and therefore, if NRM referrals are to be made, they must consent to them.

### Advised action:

- You should obtain sufficient information to ensure that there are no immediate threats to life. There is evidence of extreme violence so if you are not an emergency responder you should consider whether you need to ring 999.
- There may be other women being exploited at the brothel.
- Consider the potential for pregnancy.
- Consider that there may be other workers being underpaid at the recycling plant and what action (if any) your organisation needs to make in regards to that.
- Explain the NRM and, if they consent to being referred, contact a first responder (or complete an NRM referral if you are a first responder).
- You may need to provide housing until the point where The Salvation Army is able to provide safehousing for those accepting the NRM referral.
- If the Romanian nationals have been in the UK for at least three months and choose not to enter the NRM, or receive a negative decision, they could claim job seekers allowance, providing they can prove they have the right to reside.
- The local authority has a duty to provide advice on housing.
- If an adult meets the criteria for a referral into the NRM, but does not consent to it, then an MS1 form must be completed (see handout).
- The interviewing and determining of information for the wider investigation would be conducted by the investigating agency (likely police or Gangmasters and Labour Abuse Authority [GLAA]) but a multi-agency professional meeting should be arranged as a matter of urgency.
- Consider which organisations may have intelligence about this situation (e.g. sexual health, GLAA).
- The house is an unregistered HMO so you should report the address to the local authority's housing standards department.

## Summary

### 1. Open to the audience:

- Are there any questions about the scenarios?
- Is there anything from today that will lead you to make a change in your organisation?
- Is there anything you need more advice on?
- Have you identified any gaps in provision that need to be tackled?

### 2. Actions:

- Have any actions been identified today that need to be addressed?
- We recommend that any actions arising from the workshop should be discussed at your next Modern Slavery Partnership meeting.

### 3. Closing points:

- Ask everyone to fill out the attached evaluation form.
- Closing comments.

The page features a light orange background with several abstract white line drawings. These lines form large, flowing, organic shapes that sweep across the page, creating a sense of movement and depth. The lines are thin and elegant, contrasting with the solid background color.

**WORKSHOP THREE**

# **Handouts**

# The Digital National Referral Mechanism (NRM) and Duty to Notify (DTN)

The National Referral Mechanism (NRM) is a framework for identifying victims of modern slavery and human trafficking and ensuring they receive the appropriate protection and support. There are two pathways: one for children and one for adults (18+).

The new digital process for NRM/DTN referrals was made available nationally from the 29th August 2019. This new process is now fully in place and operational for all first responders. The new process allows NRM referrals or DTN submissions to be made using a single online form.

This same process is to be used for NRMs and DTNs and whether the victim is an adult or child, as the form options presented will change depending on information submitted. The new form and associated documents can be accessed through the following link:

[www.modernslavery.gov.uk/start](http://www.modernslavery.gov.uk/start)

If the potential victim has capacity and gives their informed consent (consent is only necessary for an adult) to a referral into the NRM, first responders should complete the online NRM Referral Form with the potential victim or use the offline prompt sheet if working offline.

There are two stages of the NRM: Reasonable Grounds and Conclusive Grounds:

- For a positive Reasonable Grounds decision, the threshold is 'I suspect, but cannot prove' [that this person is a victim of modern slavery]
- For a positive Conclusive Grounds decision, the threshold is 'on the balance of probabilities' [there is enough information to conclude that this person is a victim of modern slavery]

## Duty to Notify

It is worth noting that not all victims consent to an NRM referral and take up safe accommodation, however local authorities still have a duty to notify. In those cases, an **MS1** form must be completed using the online portal.

The **MS1** form should be completely anonymous if the potential victim does not consent to their details being shared. A duty to notify referral should not be relied upon to safeguard victims. Existing safeguarding processes should still be followed to provide any owed duties to that person.

## Children

Children do not need to consent to a referral into the NRM, but when they turn 18, they can withdraw the referral if they wish. Modern slavery and human trafficking against children are child abuse. When an agency encounters a child who may have been exploited or trafficked, local authority children's services should be notified immediately.

A referral into the NRM does not replace or supersede established child protection processes, but should complement the statutory package of support. Child victims should always be supported using existing child safeguarding measures and local protocols. Unaccompanied children under 18 will not be placed in Salvation Army accommodation. They should always be accommodated by the responsible local authority or social care team.

## The Digital National Referral Mechanism (NRM) and Duty to Notify (DTN) continued

### Accommodation

In cases where The Salvation Army Modern Slavery Team support/safe accommodation are required, The Salvation Army Modern Slavery Team will need access to the potential victim to carry out a needs assessment. This can be completed by telephone but may need to be face-to-face on occasion. The Salvation Army may allocate safe accommodation through their network of providers if the individual is high risk/needs and/or homeless and destitute, subject to initial assessment of eligibility and risk and if they are satisfied it is safe to take over duty of care.

Depending on the circumstances of the discovery of the potential victim, there may be instances whereby the local authority may need to provide an initial few nights' safe accommodation until such time The Salvation Army takes over the duty of care. This may also be required pending ongoing police investigations, time of day/night, the location in which the potential victim is discovered, or the Modern Slavery Team response time.

If there is low risk to the victim and they have recourse to public funds, it may be that they are accommodated by the responsible local authority with The Salvation Army providing outreach NRM support.

### NRM Support

Following referral from a first responder organisation, the single competent authority (SCA) will make a Reasonable Grounds decision to determine whether it 'suspects but cannot prove' that an individual is a potential victim of modern slavery.

This decision should be made within five working days of referral, where possible. Following a positive Reasonable Grounds decision, a potential victim will receive a Recovery Period of at least 45 calendar days and will be able to receive support via the Victim Care Contract.

The SCA will make a Conclusive Grounds decision no sooner than 45 calendar days after the Reasonable Grounds decision, to determine whether 'on the balance of probabilities' there are sufficient grounds to decide that the individual is a victim of modern slavery. This decision is based on the evidence made available to the SCA.

Following a positive Conclusive Grounds decision, victims will be exited from support only when appropriate to do so. Victims with a positive Conclusive Grounds decision will receive at least 45 calendar days of support during the move-on support period. A recovery needs assessment will be conducted to determine the needs of the victim upon exiting NRM support.

**Note:** It is extremely important to understand that a referral into the NRM does not always automatically provide the victim with safehouse accommodation out of area. This responsibility sits with the local authority as part of their normal homelessness and housing owed duties.

# Children Act 1989: Section 47 – Local Authority’s Duty to Investigate

“Where a local authority:

- a. are informed that a child who lives, or is found, in their area
  - i. is the subject of an emergency protection order; or
  - ii. is in police protection;
- b. have reasonable cause to suspect that a child who lives, or is found, in their area is suffering, or is likely to suffer, significant harm,

The authority shall make, or cause to be made, such enquiries as they consider necessary to enable them to decide whether they should take any action to safeguard or promote the child’s welfare”

## Strategy Discussion/Meeting

When concerns are raised about a risk of significant harm to a child, the local authority’s children’s social care team must convene a meeting or phone call with partner agencies to discuss the details of the case. Together with the police investigation team they need to decide if the threshold for a child protection enquiry has been met (see below), and if so, who should carry out the investigation – the children’s social care team and the police (joint agency) or the police or children’s social care team alone (single agency).

## Section 47 Enquiry

Once agreed, a section 47 enquiry sets out the duty to undertake an investigation of the child’s needs and the ability of those caring for the child to meet them, with the aim to decide if any action needs to be taken to safeguard the child. It must be undertaken within 45 days and by a qualified social worker, and will include interviewing the child’s parents/carers, as well as the child (unless they are too young). It will also include information from the child’s school, doctor, and other professionals. The enquiry should determine whether they need to take further action to safeguard or promote the child’s welfare, such as applying to the courts for an emergency protection order, a child assessment order, a care order, or a supervision order.

If it is determined that court proceedings are not necessary, but there are still concerns regarding the safeguarding of the child, then an Initial Child Protection Conference will be arranged. This will be chaired by an Independent Reviewing Officer (IRO) and parents and professionals involved with the child will be invited to attend. During the meeting the issues raised from the Section 47 enquiry will be discussed and a decision made as to whether or not the child will be made subject to a Child Protection Plan.

[www.legislation.gov.uk/ukpga/1989/41/section/47](http://www.legislation.gov.uk/ukpga/1989/41/section/47)



## The Defence in Section 45 of the MSA 2015

Section 45 of the Modern Slavery Act 2015 (MSA) holds that a defendant, when faced with criminal liability, can raise a defence that they were a victim of trafficking (the Defence). This does not apply to every criminal offence; there is a list of offences in Schedule 4 of the MSA in which the Defence cannot be raised. This includes murder, manslaughter, firearms offences and offences causing grievous bodily harm.

The Defence works slightly differently for adults and children, as children do not have to show the same degree of compulsion when raising it. For an adult (an individual over 18) to be able to rely on the Defence, Section 45(1) of the MSA requires them to show that:

- a. They committed the offence because they were compelled to do so
- b. They were compelled as a result of slavery or relevant exploitation; and
- c. A reasonable person with relevant characteristics in the same position as the person would have no realistic alternative to committing the offence.

For children, the Defence will succeed under Section 45(4) of the MSA if the child is able to show that:

- a. They committed an offence as a direct consequence of their being a victim of slavery or relevant exploitation; and
- b. A reasonable person in the same situation and having the person's relevant characteristics (including their age) would have committed the offence.

The Defence is tailored to the particular scenarios that can commonly be present in cases of human trafficking.

The Defence has been drafted in a way to accommodate the different methods of compulsion which may be present in human trafficking cases. A person's relevant characteristics may mean that they feel that they have no realistic alternative to committing an offence that they are compelled to commit.

Crucially, it should be noted that the operation of Section 45 of the MSA does not provide a blanket defence for victims of trafficking. There must be a sufficient nexus between the fact of having been trafficked and the alleged offence in order for an individual to avail themselves of the Defence. If an individual happens to be a victim of human trafficking but has committed an offence completely separately and independently of this, the Defence would not be successful.

[www.legislation.gov.uk/ukpga/2015/30/section/45](http://www.legislation.gov.uk/ukpga/2015/30/section/45)

# Conceptualising Child Criminal Exploitation (CCE)

Differentiating between a child that is simply engaged willingly in criminal activity and a child that is forced to commit crimes is difficult. A child that is engaging in criminal activity voluntarily, who gains from the proceeds of their activity is not being subjected to exploitation.

Alternatively, crime may be a characteristic of a family and its functioning and therefore participation in criminal activities may be a normal experience for a child, i.e. the family may adhere to anti-social narratives and criminality is expected by the adults, carers and family peers such as siblings and cousins. A child that is engaged in criminal activity but hands over the proceeds to their parents may or may not be subjected to criminal exploitation. The criminal activity may be indicative of family poverty and survival needs, low resilience and marginalisation. In these circumstances, both the child and the family are vulnerable to exploitation by predatory others.

Those that control children for criminal exploitation are the primary beneficiaries of the criminal activity but there may be a system of second-order beneficiaries who act as facilitators, suppliers of the children or licit and illicit goods and services who all profit from the criminal activities. Indeed, criminal exploitation may be the lucrative tip of a criminal iceberg.

Age, gender and developmental level of the child may be significant with regard to the nature of the criminal activities, motivations and organisation of exploiters, processes of recruitment, social and cultural attitudes towards age and gender as well as social norms and the type and context of criminal activity.

CCE is diverse and varied. It may happen in the context of families, peer relationships, gangs or organised crime. CCE is not only related to drug dealing. Other examples include forced begging, petty street crime and distraction theft, burglary, shoplifting, money laundering and fraud, violent crimes, and production and selling of counterfeit goods (e.g. CDs, DVDs, clothing, accessories etc.)



## Definitions

Criminal activities through which children may be exploited are many and varied. There is no statutory (i.e. legal) definition of CCE but the following definitions offer potentially helpful descriptions.

**Child and Young Person:** In line with the Children Act 1989 as the primary childcare legislation for England and Wales, The UN Convention on the Rights of the Child and the Palermo Protocol, the term child or young person refers to anyone that has not attained their 18th birthday.

**Criminal Exploitation:** Currently the most commonly used definition of CCE has been drawn from that used in the government's Serious Violence Strategy (2018), reproduced in Working Together 2018:

“ where an individual or group takes advantage of an imbalance of power to coerce, control, manipulate or deceive a child or young person under the age of 18 into any criminal activity (a) in exchange for something the victim needs or wants, and/or (b) for the financial or other advantage of the perpetrator or facilitator and/or (c) through violence or the threat of violence. The victim may have been criminally exploited even if the activity appears consensual. Child criminal exploitation does not always involve physical contact; it can also occur through the use of technology. ”

The county lines model of drug distribution is formally defined and described in the Serious Violence Strategy and Working Together 2018. County lines is:

“ a term used to describe gangs and organised criminal networks involved in exporting illegal drugs into one or more importing areas within the UK, using dedicated mobile phone lines or other form of 'deal line'. They are likely to exploit children and vulnerable adults to move and store the drugs and money, and they will often use coercion, intimidation, violence (including sexual violence) and weapons. ”

It is a hierarchical structure of organised crime that intersects with young people, street gangs and so-called “gang affected communities”. The children and young people that are recruited and controlled to hold weapons, drugs and money for criminals are at the bottom of this hierarchy. The most serious criminals are a relatively small number of established criminals whose interests may extend beyond the drug trade. Between them and the customers are several protective tiers of criminals and gang members who may even be from rival gangs.



### Evaluation form for attendees

	Strongly Agree	Agree	Neither Agree nor Disagree	Disagree	Strongly Disagree
Today was relevant to me					
The scenario was useful					
Today was good for networking					
My knowledge on how to respond to modern slavery has improved today					
My knowledge of partners working on modern slavery has improved today					
From today, there are changes that need to be made in my organisation to make sure we deal with modern slavery more effectively					
I know who to talk to if I need support or guidance on modern slavery					
I am confident in referring into the NRM (first responders only)					

If the workshop identified changes you need to make within your organisation, please give details:

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Does your organisation require any further assistance from your regional Modern Slavery Partnership regarding modern slavery? Please leave a contact email if you'd like someone to get in touch about this.

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Email Address:

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Any further comments about the workshop:

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## Evaluation form for Modern Slavery Partnership Coordinators

After the workshop, please fill this out and email a copy to Alicia Kidd at [Alicia.kidd@hull.ac.uk](mailto:Alicia.kidd@hull.ac.uk)

1. Which workshop did you run?

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2. What date did you run the workshop?

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3. How many people attended the workshop?

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4. Did the workshop help engage partners that you have not previously worked with? If so, which partners?

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5. Did you identify any new examples of best practice through the workshop? Please give details.

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6. Did you identify any gaps in provision through the workshop? Please give details.

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7. Was there anything you felt was missing from the workshop? Please give details.

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8. Was there anything you would change about the workshop? Please give details.

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9. Are you likely to run the workshop again?

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10. Please provide some of the key pieces of feedback that came from the attendees.

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11. Any other comments.

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# Modern slavery workshops

## WORKSHOP FOUR

### Non-governmental organisations, charities and community organisations

## Guidance document

This workshop is aimed at Non-Governmental Organisations (NGOs), charities and community organisations that work in the geographical location of your Modern Slavery Partnership. We suggest that invitations are extended to organisations that focus on:

- Homelessness
- Drugs/alcohol misuse
- Migrants/refugees
- Sex workers/sexual health
- Domestic abuse
- Modern slavery
- Children

The number of attendees you invite depends on your venue, but for the most effective conversations we recommend having 2-4 break out groups (ideally in separate rooms) of around 6-10 people in each group, plus a facilitator for each group. Once attendees are confirmed, the groups should be allocated. Please print the enclosed sign-in sheet ahead of the workshop. There is a column in this sheet to make a note of which group each attendee is allocated to. This should be clarified with attendees on arrival, and they should remain in the same group for the duration of the event. To enhance knowledge sharing, we recommend that each group has a mixture of organisations represented.

**It is important to emphasise that because these organisations do not have statutory duties, this workshop is based on encouraging conversation between them in order to share experiences, identify local examples of best practice, and learn about other organisations' work in the region. Rather than informing attendees as to how they **should** respond to the scenarios provided, this workshop encourages them to work together to identify the most effective way their organisations might be able to assist based on capacity and capability in their region.**

This workshop involves attendees working through a scenario of exploitation and concludes with a question and answer session with a panel of local practitioners. Once the groups have separated for their first break out session, the facilitators for each group should read out Scenario Part One to their groups and invite them to discuss the scenario (i.e. all groups discuss the same part of the scenario at the same time). The purpose of the facilitators is not to tell their group how to deal with the scenario, but to encourage conversation between the group members so that they can discuss how they would tackle the problem. Facilitators should make note of any best practice and any actions or gaps that need to be addressed. It is suggested that these actions are raised and allocated at your next Modern Slavery Partnership meeting.



Each group will work through Scenario Part One, then everyone should come back together to feed back. The feedback sessions should be facilitated by the Coordinator of your Modern Slavery Partnership. You might choose to ask one group to feed back after each session, or you may prefer to ask for a couple of key points from each group. The feedback sections of this document offer a list of suggested discussion points for each feedback session. The person facilitating the feedback sessions should raise some of these points for open conversation.

The groups will then break out once more to discuss the second part of the scenario which will be shared with them by their facilitators, followed again by a whole-group feedback session.

The final part of this workshop involves a question and answer session with a panel. We encourage the Coordinator of your Modern Slavery Partnership to act as chair of the panel, and while it is your choice who you invite as panelists, we suggest considering inviting representatives from the police, local authority housing, local authority safeguarding and immigration with an advised maximum of five panelists.

At the end of the event, please ask attendees to fill out the attendee evaluation forms. These evaluation forms are for you to keep to help in the development of your partnership and in identifying the needs of partners. There is also an evaluation form about the success of the workshop for you to complete and return to us.

### Equipment

- You may want to provide name badges if people haven't worked together before.
- You will need flipchart paper and pens to take notes from each group.
- You may need PowerPoint facilities if any opening speakers require them.
- You may wish to print and photocopy the scenarios so there are a few hardcopies available for each group. A photocopy symbol  has been included at the top of relevant pages in this document.
- You will also need to print and photocopy the package of handouts at the end of this workshop along with the Evaluation Form for Attendees, so that all attendees have access to them on the day. The photocopy symbol  marks the relevant pages. Please keep these evaluation forms; they are to help you to identify any potential needs or actions to be addressed by your Modern Slavery Partnership.



**Proposed agenda:**

# Modern slavery workshop – NGOs, charities and community organisations

<b>9am</b>	Refreshments and registration
<b>9.30am</b>	Welcome and summary of the day
<b>9.40am</b>	Breakout and introductions
<b>9.50am</b>	Scenario part one
<b>10.15am</b>	Feedback part one
<b>10.30am</b>	Scenario part two
<b>10.50am</b>	Feedback part two
<b>11.05am</b>	Coffee
<b>11.20am</b>	Question and answer session
<b>11.50am</b>	Summary, questions and evaluation forms
<b>12pm</b>	Close



### Sign-in sheet

Organisation	Name (alphabetically by first name)	Group Number	Signature

## Scenario part one

Allow time for introductions.

A female service user has just started to engage with your organisation but she has been reticent to tell you much about herself. After a few weeks you have built a good level of rapport with her and she begins to open up to you.

She tells you that she is from Albania. Her husband had a friend in the UK who said he would help them find work and accommodation if they came to the UK, so she moved here with her husband six months ago. They arranged their own travel, but then this man put them up in a three-bed house that they share with six other people – they sleep in the living room. The man found them work in a salad packing factory where they work for nine hours a day, six days a week. The other people living in the house work there too. The friend pays them in cash at the end of each week and he gives them £50 each. This seemed great to her for the first month, but then the man told them that they owe him rent, which is £200 each, every month. Now they are paying him rent they can no longer afford food or clothes. She's scared of the man because he hit one of the other women living in the house when she asked him for more money, and he threatened to report her to the authorities, explaining that they would deport her if she tried to leave.

As a group, discuss this scenario, thinking about how your organisation might be able to support this woman and the people she mentions. Think also about the limits of the support you're able to offer and whether there are any other organisations that might be able to help.

### Things to consider:

- Are there any other organisations that you need to inform about this situation?
- Would you ask anyone for support with this situation?
- How would you get help or advice if this information came to you on a weekend or out of hours when some services aren't available?
- What support would you be able to offer in the short term?
- Would your offer of support change if help was needed in the long term?
- If everyone in the house is receiving the same pay and being charged the same rent, how are they meeting their basic needs?
- The woman fits the definition of being a victim of modern slavery for labour exploitation.

## Feedback part one

### Advised action:

- Contact a first responder to refer them into the National Referral Mechanism (NRM [see handout]).
- Remember that an adult must consent to be referred into the NRM, and there is the possibility that the woman might refuse.
- Should she wish to be referred into the NRM, The Salvation Army would then be responsible for providing support and accommodation if she receives a positive Reasonable Grounds decision.
- Accommodation may not be available for them just yet
  - Would your organisation be able to offer any accommodation or essential support in this time?
- If you have any suspicions or concerns that worker exploitation is occurring, you should report it immediately to the Gangmasters and Labour Abuse Authority (GLAA) and the Employment Agency Standards Inspectorate.
- Consider informing the council to look into the housing situation.
- Be aware that the woman may not have the right to live and work in the UK and, as such, may be reluctant to engage with authorities out of fear of her legal status.
- Non-governmental organisations, charities and community organisations don't have a statutory duty report someone if they suspect a breach of immigration control. You may then be in a position where you are able to reassure her of this and support her if she won't engage with other statutory or law enforcement services.
- Consider what support you might be able to offer in terms of food and clothing.
- There are indicators of violence so consider whether any medical intervention is required.

## Scenario part two

A first responder explains the National Referral Mechanism to the woman and her husband, but they refuse consent to be referred, worried about what will happen to them afterwards.

You continue to support this woman, and as time passes she divulges more information.

She clarifies that everyone living in the house is Albanian. Some of the people living in the house now are different to the ones who lived there when she first moved in. One couple was told to leave the house when they failed to pay rent for the second month in a row. They are still working for the man to pay back the debt they owe from the rent and she sometimes sees them begging on a nearby street, but she doesn't think they have anywhere to live. When they moved out, a father and son moved in.

There are eight people living there in total – seven adults and a child. She doesn't know what the child does while the rest of them are at work, but she doesn't think he goes to school.

One of the other women in the house has started street sex working after her shifts in the factory in order to buy food for her and her husband. Your client is worried that this woman's husband is using drugs as a means of coping with the situation.

Your client is struggling to sleep at night because she is so hungry and scared of the situation. While she is awake, she hears other people in the house fighting. She and her husband desperately want to leave but they are scared about where they would go, how they would find work and what would happen if the man found them.

With this extra information, discuss if there are any other ways that your organisations might be able to assist.

### Things to consider:

- They are still being exploited.
- Now you know there is a child living at the house, are there any other organisations you should inform?
- How might immigration status affect the support you are able to offer?
- It seems that everyone in the house is struggling to eat. Are you able to support with food parcels, or do you know any other organisations you could refer them to that might be able to help?
- There are indications of domestic violence, homelessness and drug use – are you able to offer any assistance regarding these issues, or are there any organisations you could inform who might be able to offer support?
- If she wanted to leave the house, would you be able to offer her any support?

## Feedback part two

### Advised action:

- You should consider informing social services about a child living in a house of multi occupancy who you don't believe to be registered at a school.
- You may have local outreach agencies supporting sex workers that you could contact about the situation.
- Consider how prepared your organisation is to deal with people with complex multiple needs and trauma who are typically reluctant to engage with statutory services.
- If the woman refuses support to leave the situation, what support do you continue to offer and for how long?
- If your area has a local Multi Agency Safeguarding Hub, you could raise the case with them.
- You have a lot of intelligence on this situation. Consider sharing some of this intelligence with your local police force who will then be able to add this to any existing intelligence strands and might then be able to begin to investigate the perpetrator.
- The woman is clearly distressed and struggling to sleep. Consider what agencies might be able to offer mental health support.
- Consider registering her with a GP or attending a walk-in centre.
- Consider calling a multi-agency meeting through your Modern Slavery Partnership to discuss the needs of, and the risks to, the individuals.

## Question and answer session

This session provides an opportunity for attendees to ask questions of local practitioners who have experience working on modern slavery cases in your region.

Allow each panelist a couple of minutes to introduce themselves, their role and their organisation, bearing in mind that some attendees may only know the very basics of what the organisations do.

The Coordinator of the Modern Slavery Partnership should chair the questions and answers, ensuring that all respondents are given time to answer each question should they wish to. While we envisage that there will be plenty of questions from the floor, it may be useful to have a few ready while the attendees formulate their questions. Below are some suggestions for opening questions:

- What is the local picture of modern slavery?
  - What are the most common types of exploitation?
  - How many NRM referrals have there been?
  - What are the most prevalent nationalities of victims?
  - What is the gender balance of victims?
  - Are the victims predominantly adults or children?
  
- How often do you tend to use the support of NGOs, charities and community organisations in responding to cases of modern slavery?
- What are the most common ways of discovering situations of modern slavery?
- Where are the biggest gaps in knowledge and provision relating to modern slavery in our region?
- What are the best ways that NGOs, charities and community organisations can offer support in responding to cases of modern slavery?

## Summary

### 1. Open to the audience:

- From today's session, is there anything that the Modern Slavery Partnership can do to support your work?
- Is there anything from today that will lead you to make a change in your organisation?
- Is there anything you need more advice on?
- Have you identified any gaps in provision that need to be tackled?

### 2. Actions:

- Have any actions been identified today that need to be addressed?
- We recommend that any actions arising from the workshop should be discussed at your next Modern Slavery Partnership meeting.

### 3. Closing points:

- Ask everyone to fill out the attached evaluation form.
- Closing comments.





WORKSHOP FOUR

# Handouts



## Gangmasters & Labour Abuse Authority

### Who we are

The Gangmasters and Labour Abuse Authority (GLAA) is the foremost investigative agency for labour exploitation in the UK. We work in partnership with law enforcement bodies to protect vulnerable workers and disrupt organised criminality in the labour market.

Across the UK, we have positive existing relationships with many Modern Slavery Partnerships which we are keen to build on. We fully support your work and believe there are lots of areas where we can work together to uphold workers' rights and bring those responsible for exploitation to justice.

We hope you find this brief guide to us as an organisation useful.

### Our powers and remit

We were created following the 2004 Morecambe Bay cockling disaster to prevent the exploitation of workers in the fresh produce sector. In 2017, we were rebranded and given new powers to also investigate labour exploitation offences, including the forced or compulsory labour element of modern slavery, across England and Wales.

We operate a licensing scheme, regulating businesses who provide workers for agriculture, horticulture, shellfish gathering and food production, to make sure they meet the employment standards required by law.

Labour providers are assessed to check they are meeting our licensing standards which cover health and safety, accommodation, pay, transport and training. We also investigate and prosecute unlicensed gangmasters.

In England and Wales, we use our new powers to investigate forced or compulsory labour and human trafficking offences. We also utilise powers under the Immigration Act 2016 to issue Labour Market Enforcement Undertakings (LMEUs) and Labour Market Enforcement Orders (LMEOs) which can be used as an alternative or additional sanction for breaches of labour market legislation..

### Prevention and partnerships

We are aware that we simply cannot arrest our way out of the problem of labour exploitation. In the long-term, prevention will have the biggest impact in raising awareness and driving the real business and consumer change needed to ensure the wider public accepts that exploiting people for their labour is completely unacceptable.

We have active protocols currently in construction and textiles, with plans in place for a further industry-led protocol covering the hospitality sector.



## Gangmasters & Labour Abuse Authority

Communicating with our stakeholders – people like you – is really important in delivering this message. We host targeted awareness-raising events across the UK and deliver training to businesses to help them have confidence identifying issues in their supply chains. We also believe educating the next generation of workers is crucial. We joined forces with Boston College and, in doing so, it became the first college in the UK to embed the subject of modern slavery and labour exploitation across its range of academic and vocational courses.

You can stay in touch with the work we are doing by subscribing to our quarterly Partnership Bulletin, detailing our recent activities in enforcement, regulation, and prevention.

### Spot the signs of exploitation

Spotting the signs of labour exploitation is no easy task but there are several helpful indicators to look out for which can be divided into six key sections:

- Restricted freedom
- Behaviour
- Working conditions
- Accommodation
- Finances
- Appearance

Not all of them will apply in every case and some may not be immediately apparent. Victims may be reluctant to tell their story through fear of reprisal or not being believed, through a feeling of shame about letting themselves be treated in this way, or because they do not know their rights and the treatment they are entitled to receive.

Our website has more information, as well as a suite of resources which includes posters, leaflets, videos, educational products, and industry profiles giving a breakdown of our intelligence in 17 sectors of the labour market.

### Report your concerns

If you have any concerns about labour exploitation or unlicensed trading in our regulated sectors, contact our intelligence team:

- By telephone on 0800 4320804
- By email at [intelligence@gla.gov.uk](mailto:intelligence@gla.gov.uk)
- Through our website, with reporting forms in eight different languages

You can also report suspicions to the Modern Slavery Helpline on 08000 121700.

Please see our website [www.gla.gov.uk](http://www.gla.gov.uk) for further, useful information.

# Definitions of Modern Slavery and Human Trafficking

Modern slavery incorporates four different patterns of exploitation of a person. Each of these patterns is defined internationally and it is these definitions that are relied upon in the Modern Slavery Act 2015.

- 1. Slavery:** Article 4 of the European Convention on Human Rights defines “slavery” as “the status or condition of a person over whom any or all of the powers attaching to the right of ownership are exercised” - the victim is treated as property and as such they may be bought, sold, exchanged or lent to or by another.
- 2. Servitude:** An obligation to provide one’s services that is imposed by the use of coercion and is linked with the concept of slavery. It is a “particularly serious form of denial of freedom”. It includes “the obligation for the ‘serf’ to live on another person’s property and the impossibility of altering his condition”. The fundamental distinguishing feature between servitude and forced or compulsory labour lies in the victim’s feeling that their condition is permanent, and that the situation is unlikely to change.
- 3. Forced or Compulsory Labour:** Means “all work or service which is exacted from any person under the menace of any penalty and for which the said person has not offered himself voluntarily”. Factors that must be considered include the type and amount of work involved:
  - “**Forced**” incorporates the idea of physical or mental constraint
  - “**Compulsory**” does not refer to any form of legal compulsion or obligation (e.g. a contract or in service of a legally imposed sentence such as community service), rather it is work “exacted under menace” and performed against the will of the person concerned
- 4. Trafficking:** The definition of trafficking comes from the Palermo Protocol: “The recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs”.

The key elements that are components of trafficking of human beings are:

- **The Act:** Such as recruitment, transportation, transfer, harbouring or receipt of persons.
- **The Means:** Threat or use of force, coercion, abduction, fraud, deception, abuse of power or vulnerability, or giving payments or benefits to a person in control of the victim.\*
- **The Purpose:** For the purpose of exploitation, including exploiting the prostitution of others, sexual exploitation, forced labour, slavery or similar practices and the removal of organs.

\*‘The Means’ does not have to be present if the potential victim is under 18 years old.

# The National Referral Mechanism

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

If you are concerned that someone is a victim of modern slavery, then you should contact a first responder.

## 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
- 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)
- The Salvation Army
- Migrant Help
- Medaille Trust
- Kalayaan
- Barnardo's
- Unseen
- Tara Project (Scotland)
- NSPCC (CTAC)
- BAWSO
- New Pathways
- Refugee Council

With input from the potential victim, the first responder will fill out the necessary forms to refer them into the NRM. If the person is over 18 then they must provide consent to be referred into the NRM. If they do not consent, then an MS1 (Duty to Notify) form must be completed – this provides anonymous information about the potential victim. A duty to notify referral should not be relied upon to safeguard victims. Existing safeguarding processes should still be followed to provide any owed duties to that person.

If the person is under 18, consent is not required and the child will be supported using existing child safeguarding measures and local protocols.

The NRM has a two-tier decision-making process to determine whether someone is a victim of modern slavery. Providing they receive a positive decision at the first stage (Reasonable Grounds) then they will be entitled to support, delivered via a contract held by The Salvation Army. This support will last for a minimum of 45 days while the second stage decision is made (Conclusive Grounds), and a Recovery Needs Assessment will be undertaken at the end of this time to ensure suitable move on care is in place.

## No Recourse to Public Funds (NRPF)

Some victims may exit the National Referral Mechanism (NRM) and have no recourse to public funds (NRPF). NRPF is a term used for people who are subject to immigration control and have no entitlement to welfare benefits, to Home Office asylum support or to public housing provision.

People with NRPF are at high risk of homelessness and destitution because they cannot access mainstream housing and welfare benefits. People whose NRPF condition is due to an asylum claim are usually not permitted to work.

### Who may be subject to NRPF?

NRPF clients fall into several groups:

- 1) Migrants who are excluded from claiming public funds (welfare benefits, homelessness assistance and local authority allocation of social housing) because they are subject to immigration control such as people who have entered the country without a visa and are classed as 'illegal entrants', and people with no immigration permission, for example, they have stayed in the UK after the expiry of their visa or after an unsuccessful application for a visa extension.
- 2) Documented or 'regular' migrants who are in the country legally with a valid visa that has the NRPF condition. Generally, limited leave to enter or remain (i.e. a visa with a time limit) is subject to the NRPF condition.
- 3) Migrants who are unable to claim benefits because they do not satisfy the eligibility criteria such as EEA nationals who do not have the right to reside or are not exercising their treaty rights. With no such right to reside, their access to benefits and housing rights is restricted.
- 4) Migrants who do not pass the habitual residence test.
- 5) Asylum seekers and refused asylum seekers are also excluded from accessing welfare benefits, homelessness assistance and social housing. Instead, accommodation and financial support is available from the Home Office to those who have a pending asylum claim or appeal, or to refused asylum seekers in certain circumstances.

### Local Authority Duties

There are provisions which require local authorities to provide some people with NRPF with housing and/or financial support in order to prevent homelessness or destitution. Such assistance can be provided to adults requiring care and support as defined by the Care Act 2014 due to a disability, illness or mental health condition, or young people who were formerly looked after by a local authority, for example, because they were an unaccompanied asylum seeking child (UASC), or other separated migrant child.

Social services support is **not** a public fund for immigration purposes, so a person with NRPF can access this and should not be refused assistance on the grounds that they have NRPF. Local authorities should consider whether the impact of not providing support in these cases will violate the person's human rights.

## No Recourse to Public Funds (NRPF) continued

Section 42 of the Care Act 2014 requires a local authority to undertake an enquiry to establish whether any action needs to be taken to prevent or stop abuse or neglect where the council has reasonable cause to suspect that an adult in its area who has needs for care and support (whether these are being met or not), is experiencing or is at risk of this, and is unable to protect themselves from the abuse or neglect due to their needs.

Paragraph 14.17 of the Care and Support Statutory Guidance specifies that abuse or neglect includes modern slavery, which encompasses: 'slavery, human trafficking, forced labour, domestic servitude, and where traffickers and slave masters use whatever means they have at their disposal to coerce, deceive and force individuals into a life of abuse, servitude and inhumane treatment'.

When a local authority identifies a person as being a potential victim of trafficking or modern slavery, they should (with the potential victim's consent), notify the National Referral Mechanism (NRM). Where the person has NRPF, the safeguarding plan will need to explore what housing options are available. This could include:

- Housing available through the NRM
- Consideration within the needs assessment to establish whether accommodation can be provided under the Care Act 2014
- Consideration as to whether Section 1 of the Localism Act 2011 will require the local authority to provide housing in order to prevent a breach of human rights or to comply with the EU Anti-Trafficking Directive

## Section 1 of the Localism Act 2011

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 the benefit of residents.

## The Third Sector

It is likely that there are many more victims with NRPF using services who do not disclose their situation, particularly when using open access services for basic facilities such as food and showers, without a needs assessment. These services may not be well versed on modern slavery and/or NRPF and may not know the signs to spot, or indeed have suitable knowledge in conducting and recording needs assessments.

Having no recourse to public funds is not necessarily a problem – NRPF migrants can be studying, working, or living in the UK providing they meet the required immigration controls and can support themselves. Victims exiting the NRM may be supported to apply for leave to remain and access work or university.

There is always a risk without a proper recovery needs assessment and provision that there may be a gap between NRM support ending and any leave to remain being granted.

# Slavery and Trafficking Survivor Care Standards (2018)

The Slavery and Trafficking Survivor Care Standards are compiled by the Human Trafficking Foundation (HTF) and draw on the expertise of 32 organisations from across the antislavery sector, including care providers, law enforcement, lawyers and medical experts. They were first produced in 2015 and updated in 2018, and establish a code of conduct when delivering support to survivors, bringing survivor care into line with other professional care fields.

The guidance is aimed at all professionals who work with potential victims or survivors of trafficking and modern slavery, including specialised, independent anti-trafficking NGOs, sub-contractors under the Victim Care Contract and other support services, including statutory organisations which provide assistance to survivors before, during or after the recovery and reflection period.

The Standards underline that for survivors, any chance of recovery will depend on being able to receive professional specialist support. They set out overarching principles that outline the need for integrated, holistic and trauma-informed support that is geared towards meeting the individual needs of each survivor - including material needs. The Standards recommend a multi-agency approach to ensure that survivors can fully access their entitlements while they are supported to gain confidence and the skills they need to recover from slavery or trafficking.

The Standards include explicit guidance on:

- Working with the National Referral Mechanism for identifying victims of trafficking
- Casework and advocacy support through the NRM decision-making process
- Provision of appropriate care and support
- Access to healthcare
- Access to specialist legal advice
- Working with the police and criminal justice system
- Provision of safe accommodation
- Provision of material assistance

To ensure that the Standards are maintained, the Home Office is working with the Care Quality Commission (CQC) to develop an inspection regime framework. This has included supporting the training of CQC inspectors so that they are well equipped to examine all services provided to modern slavery victims. As part of this, CQC inspectors have also received training in trauma-informed practice.

[www.antislaverycommissioner.co.uk/media/1235/slavery-and-trafficking-survivor-care-standards.pdf](http://www.antislaverycommissioner.co.uk/media/1235/slavery-and-trafficking-survivor-care-standards.pdf)





### Evaluation form for attendees

	Strongly Agree	Agree	Neither Agree nor Disagree	Disagree	Strongly Disagree
Today was relevant to me					
The scenario was useful					
Today was good for networking					
My knowledge on how to respond to modern slavery has improved today					
My knowledge of partners working on modern slavery has improved today					
From today, there are changes that need to be made in my organisation to make sure we deal with modern slavery more effectively					
I know who to talk to if I need support or guidance on modern slavery					
I found the question and answer session helpful					

**If the workshop identified organisational changes you need to make, please provide details:**

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**Does your organisation require any further assistance from your regional Modern Slavery Partnership regarding modern slavery? Please leave a contact email if you'd like someone to get in touch about this.**

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Email Address:

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**Any further comments about the workshop:**

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## Evaluation form for Modern Slavery Partnership Coordinators

After the workshop, please fill this out and email a copy to Alicia Kidd at [Alicia.kidd@hull.ac.uk](mailto:Alicia.kidd@hull.ac.uk)

1. Which workshop did you run?

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2. What date did you run the workshop?

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3. How many people attended the workshop?

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4. Did the workshop help engage partners that you have not previously worked with? If so, which partners?

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5. Did you identify any new examples of best practice through the workshop? Please give details.

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6. Did you identify any gaps in provision through the workshop? Please give details.

---

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7. Was there anything you felt was missing from the workshop? Please give details.

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8. Was there anything you would change about the workshop? Please give details.

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9. Are you likely to run the workshop again?

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10. Please provide some of the key pieces of feedback that came from the attendees.

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11. Any other comments.

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# Modern slavery workshops

WORKSHOP FIVE

## Labour providers

## Guidance document

This workshop is aimed at labour providers/recruitment agencies who are based in the region covered by your Modern Slavery Partnership. The workshop revolves around working through a scenario of a potential real-life situation that such agencies may come across. The number of attendees you invite depends on your venue, but for the most effective conversations we recommend having 2-4 break out groups with around 8-12 people in each. There should be a separate person to act as a facilitator for each group. While expert knowledge of the topic is not essential, ideally these facilitators would have a basic understanding of the issues surrounding modern slavery. If there are multiple attendees from one agency then we recommend splitting them into different break out groups.



Once attendees are confirmed, the groups should be allocated. Please print the enclosed sign-in sheet ahead of the workshop. There is a column in this sheet to make a note of which group each attendee is allocated to. This should be clarified with attendees on arrival, and they should remain in the same group for the duration of the event. We suggest inviting a key business partner to act as the opening speaker.

The scenario is split into four main parts. Once the groups have separated for their first break out session, the facilitators for each group should read out Scenario Part One to their groups and invite them to discuss the scenario (i.e. all groups discuss the same part of the scenario at the same time). The purpose of the facilitators is not to tell their group how to deal with the scenario, but to encourage conversation between the group members so that they can tackle the problem (attendees are not expected to fully resolve the scenario, just to identify what their best response to the information provided would be). There may be a requirement for the facilitators to make suggestions of ideas that people may not have considered, or to steer the conversation either if it gets off track, or if time is getting short. Facilitators should make note of any best practice, and any actions or gaps that need to be dealt with, which should be allocated at the end of the workshop.

Each group will work through Scenario Part One, then everyone should come back together to feed back. The feedback sessions should be facilitated by the Coordinator of your Modern Slavery Partnership. You might choose to ask one group to feed back after each session, or you may prefer to ask for a couple of key points from each group. The feedback sections of this document offer a list of suggested discussion points for each feedback session. The person facilitating the feedback sessions should raise some of these points for open conversation, then run through the 'Advised Action' section, allowing time for discussion.

The groups will then break out for Scenario Part Two and come back to feed back, and so on. At the end of the event there should be time for questions and for attendee evaluation forms to be completed. Please keep the forms completed by the attendees; these will help in the development of your partnership and in identifying the needs of partners. There is also a form about the success of the workshop for you to complete and return to us.

## Equipment

- You may want to provide name badges if people haven't worked together before.
- You will need flipchart paper and pens to take notes from each group.
- You may need PowerPoint facilities if any opening speakers require them.
- You may wish to print and photocopy the scenarios so there are a few hardcopies available for each group. A photocopy symbol  has been included at the top of relevant pages in this document.
- You will also need to print and photocopy the package of handouts at the end of this workshop along with the Evaluation Form for Attendees, so that all attendees have access to them on the day. The photocopy symbol  marks the relevant pages. Please keep these evaluation forms; they are to help you to identify any potential needs or actions to be addressed by your Modern Slavery Partnership.

**Proposed agenda:**

# Modern slavery workshop – labour providers

<b>8.30am</b>	Refreshments and registration
<b>9am</b>	Welcome and summary of the day
<b>9.10am</b>	Opening speaker
<b>9.20am</b>	Breakout and introductions
<b>9.30am</b>	Scenario part one
<b>9.50am</b>	Feedback part one
<b>10.10am</b>	Scenario part two
<b>10.30am</b>	Feedback part two
<b>10.50am</b>	Scenario part three
<b>11.05am</b>	Feedback part three
<b>11.25am</b>	Coffee
<b>11.40am</b>	Scenario part four
<b>12pm</b>	Feedback part four
<b>12.15pm</b>	Summary, questions and evaluation forms
<b>12.30pm</b>	Close



### Sign-in sheet

Organisation	Name (alphabetically by first name)	Group Number	Signature



## Scenario part one

Allow time for introductions.

Last month you took on a large contract to supply labour for a new client. Two team members were assigned to manage this contract and, while you know you are still short on workers to meet the needs of this new client, both team members have been successfully recruiting large numbers of workers – more than any other team member that works for you.

Despite this, over the past two weeks, your Facebook page has had a number of people comment that they are experienced labourers who came to sign up to your agency but were turned away. This is confusing because you know you are short on workers.

**As a group, discuss whether this information raises any concerns for you.**

- If there are concerns, what are they and how might you deal with them?
- Is there an upper limit of workers that one person could reasonably be expected to recruit in one day, or would you simply praise their productivity?



## Feedback part one

### Comments:

- The Facebook comments could, of course, be from people who have had a bad experience or not met the required criteria for the work. However, they might also indicate that genuine job seekers are being turned away from the agency. If this is the case, it could be to allow for the recruitment of specific individuals – for example if an organised crime group is providing workers in exchange for a fee for each worker signed up.

### Advised action:

- No single person should be in control of an entire area of the business
  - It is important that different team members are involved throughout recruitment to maximise the potential of identifying possible safeguarding needs.
  - You could implement this by dividing duties. For example, one team member could source candidates, another could undertake interviews, another could ratify and check credentials and suitability. If possible, introduce a central compliance function to ratify all new starters for their suitability.
  - Ensure that the site does not use a single resource, but rather takes from multiple labour pools (for example on-site recruiters, online advertising, social media and a central resourcing team) who can also refer to the site. This greatly reduces the risk of on-site recruitment staff being able to charge money for work, and also prevents other fraud within the business as it segregates duties to prevent one person monopolising a site.
- Introduce an onboarding feedback process, ensuring that all new starters are given an opportunity to rate their experience, including questions such as whether or not they have had to pay to sign up to the agency.
- You could introduce a link on your Facebook page to a survey so that people are able to anonymously provide feedback.



## Scenario part two

Considering you are short on workers, you are concerned about the Facebook messages suggesting that people are being turned away from registering for your agency. You spend a few days working with other staff members, helping to sign up new workers.

A new worker arrives to register and you recognise that the address he gave is the same one associated with another worker whose file you were updating earlier that day. You search the address on the system and discover that there are 16 workers at your agency registered to that same address.

You ask the new worker to repeat his address. He points to the piece of paper he gave you with the address on, but you ask him to tell you verbally. He is unable to provide an answer.

What action should you take in this situation?

### Things to consider:

- Does this information raise any concerns for you?
- Are those 16 people really living in the same house?
- Are there any other checks you should make?
- Are there any other organisations you should inform?

## Feedback part two

### Comments:

It is unlikely that 16 people are living comfortably in the same address:

- With this address being used for so many workers, it could be that they are all living in the same house without private space and possibly sleeping in communal areas.
- It could alternatively be indicative that a false address is being used to register people.
  - If your agency has been sending letters without receiving a response, this could be indicative that a false address has been provided and that the workers simply aren't receiving the correspondence.
- Both of these options should raise concerns.

### Advised action:

- Your agency may already have a compliance team, in which case they should be made aware of this situation. Otherwise, it is advisable to involve HR at this point.
- You could ask the worker a few questions, but avoid letting them know your concerns at this stage; maintain a pretence of normality so as not to potentially alert anybody who may be illegally sub-letting or controlling the address:
  - Ask how he gets to and from the address and how he travelled in to your agency today.
  - Ask how he found the house and whether he received help in finding it.
  - If you believe he is being exploited then you should contact a first responder (see handout on the NRM). This is likely to be either the police or the Gangmasters and Labour Abuse Authority (GLAA). The GLAA will be able to offer you advice on the best way to proceed.
- Worker welfare checks should be a standard part of regular operation for recruitment agencies. Conducting checks every three months is good practice. Consider whether you will need an interpreter; if so, use the services of a telephone language service. **Do not use another worker as an interpreter** – you don't know who else is involved at this point.
  - Engage the worker in a general chat about how they are adjusting to the job, life in the UK, how they are enjoying their earnings and what they like to do outside of work. This helps to identify if a worker is not living a life deemed to be "normal" for the level of wages that they are earning. Here you could also ask questions about how much they pay for rent and who they pay, whether they have their own bedroom and if they have a key to the property. You could also ask to see their bank card (to ensure that they have access to it) and ask whether anyone else has access to this card.

- Check your systems to see if any of the 16 residents have moved house without notifying you; find out exactly how many are actively working and how many still reside there. As few people as possible should be made aware that these checks are occurring.
- To check the housing situation:
  - Conduct an online search of housing websites to identify how many bedrooms the property has.
  - Check the local authority’s public register of HMO (House of Multi Occupancy) licences to see whether the address has a licence. If the licence does not permit up to 16 occupants, or if it is unlicensed, then you should report the address to the local authority’s housing standards department. This can be done via their website.



## Scenario part three

After identifying the issue with large numbers of people being registered at the same address, you use your system to look at bank account information, tying this in with your usual identity and reference checks. Using this new worker as a starting point, you search his bank account number on the system and identify that five other workers are already being paid into this account. Despite the fact that you do regular checks to ensure that workers are not being paid into the same bank account, nothing so far has been flagged.

**As a group, discuss whether this information raises any concerns for you.**

If there are concerns, what are they and how might you deal with them?

- Do you currently undertake checks on bank accounts?
  - If so, how do you undertake them and how often?
- Have you ever come across any issues like this?
  - If so, how did you deal with them?

## Feedback part three

### Comments:

- Every worker should preferably have their own bank account, registered in their name.
- More than one worker using the same bank account is indicative that someone else is controlling it (unless it is a joint account).

### Advised action:

- Conduct regular (ideally, weekly) checks to ensure that workers are not being paid into the same bank accounts.
- Consider the possibility of establishing a flagging system that notifies you when the same address or bank account appears more than once.
- However, exploiters are clever and will always aim to be one step ahead, swapping workers in and out to avoid such checks. Ensure that only those that need to know about these checks are aware of them so word doesn't get back to the exploiters.
- If possible, when setting up a new worker on your system, check then and there whether the bank account they have provided is already linked to another worker.
  - If it is, you should research both (all) workers thoroughly. Discreetly ask others what their relationships are, as it could be a couple with shared access to a joint bank account.
  - If you are not satisfied and are concerned that there is no legitimate reason for these workers to share an account, then you should arrange welfare interviews at the first opportunity, using open questions asking them to explain their earnings to you etc. – treat this interview as if it is with a victim of modern slavery.
  - If the bank account pertains to a prepay cash account, alert the bank's fraud team as they may also hold information relating to the true account holder.
- While ensuring that each worker has their own bank account is a positive step, it does not necessarily mean that money is not being taken from them; it could be that someone else is controlling their bank card.
  - Introducing welfare checks, as discussed in Feedback Session Part Two would help in monitoring this.

- Before submitting your concerns to the police or GLAA, gather as much information as you can about the situation. Check whether these five workers are also all registered at the same address. If they are registered at different addresses, then this could be indicative that these addresses are also linked to potential exploitation.
- If it is the case that these workers are registered at different addresses but linked to the same bank account, then you should check those addresses to clarify whether there are any other workers registered at these same addresses.
- If this does bring up information of other workers registered at these addresses then you could check their bank account numbers to identify whether their accounts are linked to any other workers.
- This process – of using a repeated bank account number to identify addresses and other workers in that address, then searching those workers’ bank details to check if anyone else is registered with the same account – can be repeated until no new information is forthcoming.
- Gathering this information will help you to understand how widespread the network is.
  - Store this information on a restricted drive. Any information gathered to support a potential investigation can be stored on a log which can be updated as a case develops. This can also help in looking back on decision-making processes throughout the investigation and if you are asked to attend court as a witness.
  - Always ensure that any sending/storing of personal data is compliant with GDPR regulations, but ensure that you have passed as much information to the police or GLAA as is pertinent to the concerns raised.



## Scenario part four

One of your workers attends the office to enquire whether there are any more shifts available. He looks unwell so you ask him if he's feeling ok. He tells you that he's fine, and that he's just tired because the house he lives in is damp and has no electricity or gas so he's often too cold to be able to sleep. You ask him more and he explains that he is Romanian and answered an online advert for work in the UK. He paid for his own transport, but the accommodation and work were arranged for him.

He asks again about getting more shifts. You talk about the kind of work you have available and he asks you how much each shift would cost.

You're confused about his question and when you ask him what he means, he explains that currently he pays £50 to get a shift, so he needs some more work because he's not making much at the moment.

### As a group, discuss the scenario.

- What are the key issues that the worker has raised?
- What are your responsibilities towards him?
- How would you respond to the information the worker has given?



## Feedback part four

### Comments:

- This scenario indicates that someone is recruiting people from Romania to register them at your agency, accommodating them in unfit housing and charging them for each shift they work.
- No one should ever be charged for shifts.

### Advised action:

- While accommodation is not your responsibility, you should respond to the fact that he is clearly housed somewhere unfit for purpose.
  - Inform the GLAA of your concerns. If your agency holds a GLAA licence then they will be able to intervene. If you are not in a licensed sector, you can still ask the GLAA for advice, but you should also send information to the Employment Agency Standards Inspectorate. Notify the local authority's housing department and ask them to investigate the landlords of the addresses – this will identify, for example, if the houses are being sub-let.
- The police or GLAA will be able to advise you on how to interview the workers in order to get a statement from each pertaining to any fees they have been charged and what the living arrangements are. Once you are happy that you have evidence to support an investigation, this can be shared with the police, GLAA and/or housing standards. Do not feel inclined to conduct an investigation of your own.
- It is incredibly important that all workers are aware of their rights.
- Ensure that information on worker rights is provided to all staff, in a language that is accessible to them. This might be in the form of posters on site, or in information packs provided when they sign up.
- Ideally, you should develop a reporting mechanism whereby concerns can be shared anonymously. Information on this mechanism should be widely advertised so that all workers know how to access it.

## Summary

Some of the content of this scenario is developed from a real case study – Operation Fort – in which an organised crime group embedded a woman within a recruitment agency. She was efficient at her job, often recruiting up to 20 workers at a time and taking a payment for each trafficked victim that she signed up for the agency on behalf of the organised crime group. She was turning away genuine job seekers to ensure there were enough spaces for the trafficked victims that the organised crime group sent to her. This recruiter undertook the interviews for workers, meaning the opportunity to spot potential safeguarding issues was avoided.

An example of good practice is The Compliance Intelligence Network established by Staffline in November 2019. It currently comprises 10 members: nine different recruitment agencies and a large scale labour user. The aim of the Network is for all parties involved to work collaboratively together to share intelligence to help any potential victims of trafficking in the UK and protect their welfare. It encourages close working to support each other in compliance and the industry generally, including sharing best practice, and protecting brands and those working in the supply chains.

### 1. Open to the audience:

- Are there any other issues that have been raised today that you'd like to discuss?
- Is there anything from today that will lead you to make a change in your organisation?
- Is there anything you need more advice on?
- Have you identified any gaps in provision that need to be tackled?

### 2. Actions:

- Have any actions been identified today that need to be addressed?
- We recommend that any actions arising from the workshop should be discussed at your next Modern Slavery Partnership meeting.

### 3. Closing points:

- Ask everyone to fill out the attached evaluation form.
- Closing comments.

The background features several large, flowing, abstract orange lines that create a sense of movement and depth. These lines are thin and elegant, looping across the page in various directions.

**WORKSHOP FIVE**

# **Handouts**



## Gangmasters & Labour Abuse Authority

### Who we are

The Gangmasters and Labour Abuse Authority (GLAA) is the foremost investigative agency for labour exploitation in the UK. We work in partnership with law enforcement bodies to protect vulnerable workers and disrupt organised criminality in the labour market.

Across the UK, we have positive existing relationships with many Modern Slavery Partnerships which we are keen to build on. We fully support your work and believe there are lots of areas where we can work together to uphold workers' rights and bring those responsible for exploitation to justice.

We hope you find this brief guide to us as an organisation useful.

### Our powers and remit

We were created following the 2004 Morecambe Bay cockling disaster to prevent the exploitation of workers in the fresh produce sector. In 2017, we were rebranded and given new powers to also investigate labour exploitation offences, including the forced or compulsory labour element of modern slavery, across England and Wales.

We operate a licensing scheme, regulating businesses who provide workers for agriculture, horticulture, shellfish gathering and food production, to make sure they meet the employment standards required by law.

Labour providers are assessed to check they are meeting our licensing standards which cover health and safety, accommodation, pay, transport and training. We also investigate and prosecute unlicensed gangmasters.

In England and Wales, we use our new powers to investigate forced or compulsory labour and human trafficking offences. We also utilise powers under the Immigration Act 2016 to issue Labour Market Enforcement Undertakings (LMEUs) and Labour Market Enforcement Orders (LMEOs) which can be used as an alternative or additional sanction for breaches of labour market legislation..

### Prevention and partnerships

We are aware that we simply cannot arrest our way out of the problem of labour exploitation. In the long-term, prevention will have the biggest impact in raising awareness and driving the real business and consumer change needed to ensure the wider public accepts that exploiting people for their labour is completely unacceptable.

We have active protocols currently in construction and textiles, with plans in place for a further industry-led protocol covering the hospitality sector.



## Gangmasters & Labour Abuse Authority

Communicating with our stakeholders – people like you – is really important in delivering this message. We host targeted awareness-raising events across the UK and deliver training to businesses to help them have confidence identifying issues in their supply chains. We also believe educating the next generation of workers is crucial. We joined forces with Boston College and, in doing so, it became the first college in the UK to embed the subject of modern slavery and labour exploitation across its range of academic and vocational courses.

You can stay in touch with the work we are doing by subscribing to our quarterly Partnership Bulletin, detailing our recent activities in enforcement, regulation, and prevention.

### Spot the signs of exploitation

Spotting the signs of labour exploitation is no easy task but there are several helpful indicators to look out for which can be divided into six key sections:

- Restricted freedom
- Behaviour
- Working conditions
- Accommodation
- Finances
- Appearance

Not all of them will apply in every case and some may not be immediately apparent. Victims may be reluctant to tell their story through fear of reprisal or not being believed, through a feeling of shame about letting themselves be treated in this way, or because they do not know their rights and the treatment they are entitled to receive.

Our website has more information, as well as a suite of resources which includes posters, leaflets, videos, educational products, and industry profiles giving a breakdown of our intelligence in 17 sectors of the labour market.

### Report your concerns

If you have any concerns about labour exploitation or unlicensed trading in our regulated sectors, contact our intelligence team:

- By telephone on 0800 4320804
- By email at [intelligence@gla.gov.uk](mailto:intelligence@gla.gov.uk)
- Through our website, with reporting forms in eight different languages

You can also report suspicions to the Modern Slavery Helpline on 08000 121700.

Please see our website [www.gla.gov.uk](http://www.gla.gov.uk) for further, useful information.

# Health and Safety at Work etc. Act 1974

Arguably this legislation set out how businesses must ensure the “health, safety and welfare” of people on their premises long before the Modern Slavery Act made its explicit provisions. The wide ranging duties it imposes on businesses apply not just to employees but also to anyone else on their premises, including temporary staff, casual workers, the self-employed, clients, visitors, and the general public.

The duties that the Act imposes include:

- a safe system of work
- a safe place of work
- safe equipment, plant and machinery
- safe and competent people working alongside you, because employers are also liable for the actions of their staff and managers
- carrying out risk assessments as set out in regulations, and taking steps to eliminate or control these risks
- informing workers fully about all potential hazards associated with any work process, chemical substance or activity, including providing instruction, training and supervision
- appointing a ‘competent person’ responsible for health and safety (competent persons, such as a head of health and safety, oversee day-to-day safety management, oversee safety inspections, and liaise with staff safety reps)
- consulting with workplace safety representatives (if a union is recognised, your employer must set up and attend a workplace safety committee if two or more safety reps request one)
- providing adequate facilities for staff welfare at work.

The Act is the basis of many Approved Codes of Practice (ACOPs) for businesses, which set out detailed responsibilities for business with regard to all aspects of workplace health and safety, from working safely with computers, to stress and hazardous chemicals. The Act also provides the basis for some regulatory powers that can assist in the identification and disruption of modern slavery, such as powers of entry (section 20). This gives local officers the power to enter a business premises and request to examine any document, equipment, premises or part of them, and detain any articles or substances. The authorised officer has the right to enter at any reasonable time upon producing documented authorisation and may be accompanied by the police.

The Act established the Health and Safety Executive (HSE) and contains powers for the HSE to be able to enforce these duties and to issue penalties for failure to comply.

[www.legislation.gov.uk/ukpga/1974/37](http://www.legislation.gov.uk/ukpga/1974/37)



# Employment Agency Standards (EAS) Inspectorate

The EAS Inspectorate is the regulator of employment agencies and employment businesses, and enforces the laws that protect agency workers, including the Employment Agencies Act 1973, and the Conduct of Employment Agencies and Employment Businesses Regulations 2003. It is a part of the Department for Business, Energy and Industrial Strategy (BEIS). The inspectorate provides guidance on what employment agencies and businesses must and must not do, differentiating between **employment agencies** who introduce persons to employers, and **employment businesses** who find temporary and contract work.

An important part of an **employment business** is to provide workers with a Key Information Document (KID), intended to outline pay related facts and other details about an engagement. An **employment business** must agree terms of engagement before starting any work-finding services, and these terms should include:

- Worker status i.e. employee or self-employed
- The notice period to end an assignment
- The minimum rate of pay
- Any entitlement to paid holidays

Regarding specific opportunities, both **employment agencies and businesses** must outline to the worker:

- The start date and how long the contract may last
- The identity of the hirer
- The duties to be undertaken
- Details of any expenses
- The location and hours of work
- Any health and safety risks
- Any experience, training or qualifications needed for the role

Both **employment agencies and businesses** must confirm evidence of a worker's identity, such as a passport, driving licence or birth certificate.

Both **employment agencies and businesses** must not:

- Charge fees for providing work-finding services
- Force workers to purchase any additional services such as training or CV-writing
- Tell a current employer that a worker is looking for new work
- Stop a worker from working elsewhere
- Force a worker to tell them the identity of any future employer
- Withhold payments or wages for hours that have been worked

Whilst **employment agencies and businesses** cannot charge a fee for finding work, they can provide or refer workers to other paid services, such as a Disclosure and Barring Service (DBS) check, or an umbrella company. In these instances, detailed information must be provided up front about the cost and terms of these services, including rights, and the notice period required to cancel.

You can report to the Employment Agency Standards Inspectorate via [eas@beis.gov.uk](mailto:eas@beis.gov.uk) or 020 7215 5000.

[www.gla.gov.uk/who-we-are/employment-agency-standards-inspectorate/](http://www.gla.gov.uk/who-we-are/employment-agency-standards-inspectorate/)



# The National Referral Mechanism

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

If you are concerned that someone is a victim of modern slavery, then you should contact a first responder.

## 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
- 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)
- The Salvation Army
- Migrant Help
- Medaille Trust
- Kalayaan
- Barnardo's
- Unseen
- Tara Project (Scotland)
- NSPCC (CTAC)
- BAWSO
- New Pathways
- Refugee Council

With input from the potential victim, the first responder will fill out the necessary forms to refer them into the NRM. If the person is over 18 then they must provide consent to be referred into the NRM. If they do not consent, then an MS1 (Duty to Notify) form must be completed – this provides anonymous information about the potential victim. A duty to notify referral should not be relied upon to safeguard victims. Existing safeguarding processes should still be followed to provide any owed duties to that person.

If the person is under 18, consent is not required and the child will be supported using existing child safeguarding measures and local protocols.

The NRM has a two-tier decision-making process to determine whether someone is a victim of modern slavery. Providing they receive a positive decision at the first stage (Reasonable Grounds) then they will be entitled to support, delivered via a contract held by The Salvation Army. This support will last for a minimum of 45 days while the second stage decision is made (Conclusive Grounds), and a Recovery Needs Assessment will be undertaken at the end of this time to ensure suitable move on care is in place.





# Living and working in the UK



## BANK ACCOUNTS

- It is free to open a bank account and apply for a national insurance number here in the UK
- It is free to apply for a job here in the UK
- Never give your ID Card or Bank Card to anybody else
- You must never share your login details / passwords / PIN numbers with anybody else



## PAY & WAGES

- In the UK you can be paid weekly or monthly
- You should receive payslips each time you are paid
- You should have your wages paid on the same day each month or week
- Your payslip will show the hours you are being paid for as well as tax and national insurance deductions
- In the UK you have the freedom to move between employers and you should not pay anyone for a job



## HOLIDAY LEAVE

- You are entitled to holidays each year –Eg. if you work 5 days a week you will get 28 days per year
- You should try to take all holiday entitlements in each 12 month period or you will lose any outstanding
- Most companies will only pay you outstanding holidays if you leave



## HOUSING & RENTING

- On average, renting a room in a shared house in the UK costs between £150 - £300 per month (London is higher at £750)
- On average, renting a 2-bedroom property in the UK costs between £550 - £900 per month (London is higher at £1,500)



## GROCERIES & FOOD

- On average, a family of 3 spends between £49 - £63 per week on groceries



## VEHICLES & INSURANCE

- In the UK it costs around £40 per week to run a car – this includes fuel, tax and insurance



## MINIMUM WAGE

In the UK you should receive at least:

- £8.72 an hour if you are 25 years old or over
- £8.20 an hour if you are between 21 and 24 years old
- £6.45 an hour if you are between 18 and 20 years old

Accurate as of 26/08/2020

For more information on living in the UK, or for support and advice on anything relating to employment visit:

[www.citizensadvice.org.uk](http://www.citizensadvice.org.uk)

Call: 03444 111 444



### Evaluation form for attendees

	Strongly Agree	Agree	Neither Agree nor Disagree	Disagree	Strongly Disagree
Today was relevant to me					
The scenario was useful					
Today was good for networking					
My knowledge on how to respond to modern slavery has improved today					
From today, there are changes that need to be made in my organisation to make sure we deal with modern slavery more effectively					
I know who to talk to if I need support or guidance on modern slavery					

If the workshop identified changes you need to make within your organisation, please provide some details:

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Does your organisation require any further assistance from your regional Modern Slavery Partnership regarding modern slavery? Please leave a contact email if you'd like someone to get in touch about this.

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Email Address:

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Any further comments about the workshop:

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## Evaluation form for Modern Slavery Partnership Coordinators

After the workshop, please fill this out and email a copy to Alicia Kidd at [Alicia.kidd@hull.ac.uk](mailto:Alicia.kidd@hull.ac.uk)

1. Which workshop did you run?

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2. What date did you run the workshop?

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3. How many people attended the workshop?

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4. Did the workshop help engage partners that you have not previously worked with? If so, which partners?

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5. Did you identify any new examples of best practice through the workshop? Please give details.

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6. Did you identify any gaps in provision through the workshop? Please give details.

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7. Was there anything you felt was missing from the workshop? Please give details.

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8. Was there anything you would change about the workshop? Please give details.

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9. Are you likely to run the workshop again?

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10. Please provide some of the key pieces of feedback that came from the attendees.

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11. Any other comments.

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# **MODERN SLAVERY & HUMAN RIGHTS** | POLICY & EVIDENCE CENTRE

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Modern Slavery and Human Rights Policy and Evidence Centre  
c/o British Institute of International and Comparative Law  
Charles Clore House, 17 Russell Square, London, WC1B 5JP

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Registered Charity No. 209425

[office@modernslaverypec.org](mailto:office@modernslaverypec.org)

[www.modernslaverypec.org](http://www.modernslaverypec.org)

This project was led by Dr Alicia Kidd from the Wilberforce Institute at the University of Hull and was supported by Dr Phil Northall of the Rights Lab at the University of Nottingham; Frank Hanson, Head of Prevention and Partnerships at the Gangmasters and Labour Abuse Authority; Shayne Tyler, Group Compliance Director at Fresca Group; and Andrew Smith, Coordinator of the Humber Modern Slavery Partnership.

All content is accurate as of 26/08/20.

For any comments or questions, please contact Dr Alicia Kidd: [Alicia.kidd@hull.ac.uk](mailto:Alicia.kidd@hull.ac.uk), or the Modern Slavery PEC on [office@modernslaverypec.org](mailto:office@modernslaverypec.org).



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