

### What is modern slavery?

[Modern slavery](#)

### Providers obligations

Meeting Modern Slavery Act 2015 obligations.

It is clear that there are significant risks for workers travelling to the UK on health and care visas, which can leave them vulnerable to unscrupulous employers and recruitment agencies. Risks include:

- Low pay that is less than the recruit were anticipating, combined with higher-than-expected living costs.
- Exorbitant “fees” paid to the recruiter for a range of services, from training to accommodation and transport.
- Difficulty finding somewhere to live, which can leave workers at the mercy of an agent or employer.
- Little understanding of employment rights and language barriers that compound the problem.
- Remuneration risks where wages are withheld, or excessively reduced, in exchange for food and accommodation.
- Debt bondage, where migrant workers are working to pay off money borrowed to travel to the UK whose passports or permits are withheld until fees are paid.

Providers will need to ensure that they are taking proactive steps to fully understand, identify, monitor and mitigate against the growing risks in this area. Providers will need to ensure that they have suitable and sufficient management and monitoring systems in place.

Given the real risks in the sector, it is recommended that all organisations need to make sure they have evaluated their risks and implemented measures to prevent slavery.

Providers should be aware that UK Visas & Immigration (UKVI) can conduct an audit at any time and this can be an unannounced audit. Therefore, providers must ensure that they are fully conversant on their compliance obligations in the context of record keeping duties, reporting duties and monitoring of the migrant workforce as this will be assessed by UKVI. In addition, UKVI will want to see evidence that the migrant workforce is being paid at least the minimum salary that has been recorded on the Certificate of Sponsorship (CoS) and where insufficient information is supplied, they can obtain this from His Majesty’s Revenue and Customs (HMRC), as they have a close working relationship and share data.

### How to Refer Incidents of Modern Slavery

1. **Record Keeping** – It is important that you *safely* gather as much information as possible so you can share it with a relevant agency<sup>1</sup>. Information such as the number and contact information for potential victims, potential exploiters, addresses (work and home), [indicators of Modern Slavery](#), the circumstances around your suspicions etc., can all contribute to a police investigation.

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<sup>1</sup> You should never put yourself at risk to gather information about a situation of Modern Slavery.

## **Modern Slavery Reporting Information**

It is important that you log and record the incidents that are reported to you. Once you have shared relevant information with police and/or a First Responder organisation it is recommended that all records be anonymised. This record will prove invaluable if you are audited. You should also inform your Safeguarding Lead.

- 2. Identification by First Responder agency** – If you have concerns about an individual you should contact a Modern Slavery First Responder agency. A ‘First Responder’ agency are those organisations that have a duty to refer a potential victim of Modern Slavery into the National Referral Mechanism (NRM) for support, including Police, Local Authority, designated Non-Government Organisations, National Crime Agency, Gangmasters and Labour Abuse Authority and certain parts of the Home Office.

The South West First Responder is <https://www.unseenuk.org/about-modern-slavery/>

- 3. NRM Referral** – Where a victim provides consent, the First Responder agency has a [duty](#) to file an online referral for that victim to access support through the NRM. Where the victim does not provide consent the First Responder has a Duty to Notify the Home Office of their concerns using the same online reporting mechanism.

This referral will be received by the Home Office competent authorities, which will make an initial decision about whether they believe there are reasonable grounds to believe the person is a victim of Modern Slavery. Where reasonable grounds are met, and they have provided consent, they will access support through the [Modern Slavery Victim Care Contract](#).

- 4. Reporting to the Police** – Modern Slavery is a serious crime and if you have suspicions you should contact the police, even where you have limited information or no contact with the victim(s). You can report online using the [101 system](#).

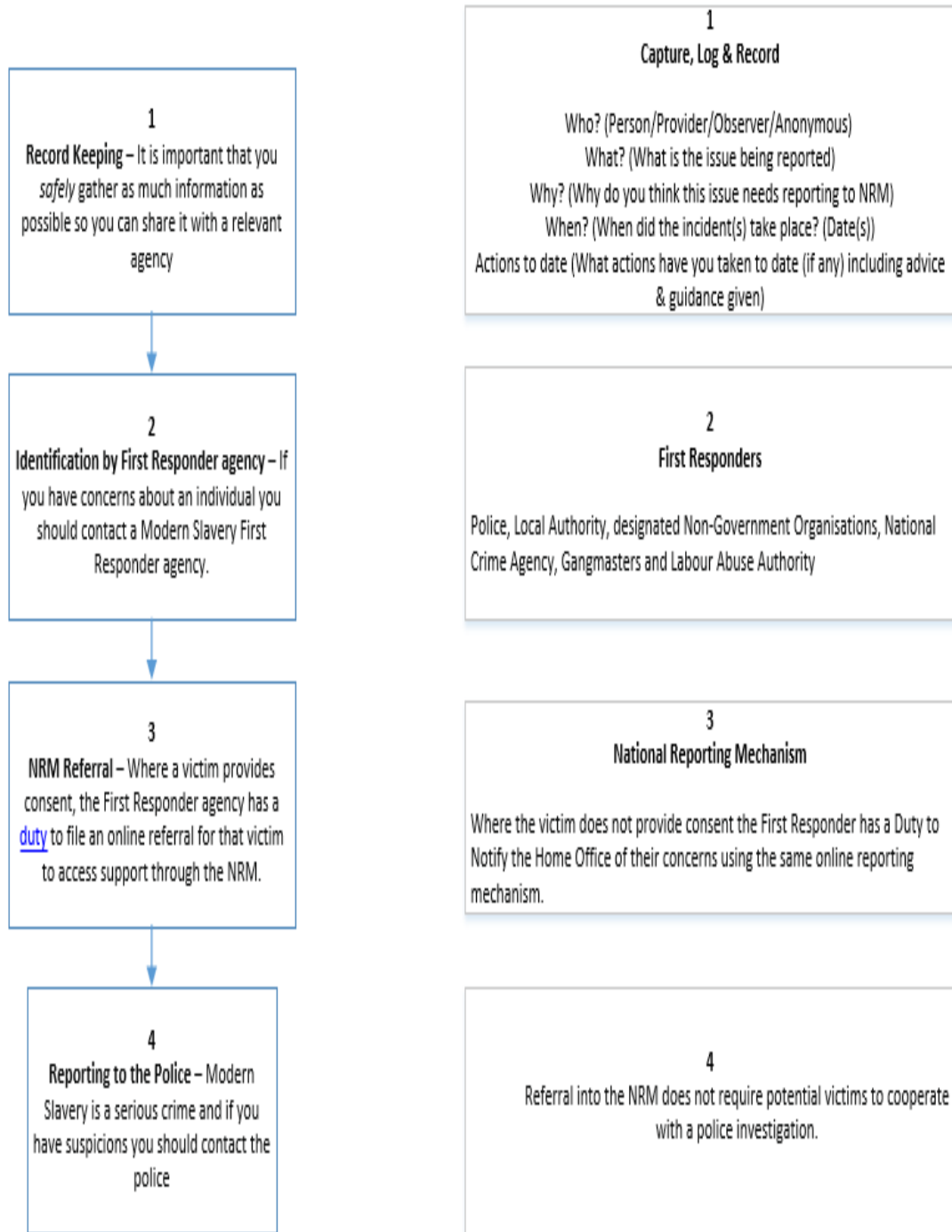
Referral into the NRM does not require potential victims to cooperate with a police investigation.

### **Support for Employers: Tackling Exploitation and Responsible Recruitment**

There are numerous organisations, including charities (See Appendix C), such as Care Quality Commission (CQC) [Compliance Management System](#) may be able to support employers to address risk. Charities such as Unseen UK [Businesses Services](#) provide consultation to businesses wishing to reduce risk of Modern Slavery in their supply chains.

## Appendix A – Reporting Flow Chart

### MODERN SLAVERY – REPORTING FLOW CHART



Appendix B – Unseen - A Simple Guide to the National Referral Mechanism



A SIMPLE GUIDE TO THE National Referral Mechanism

1. identification by a first responder



2. online referral to

IMMIGRATION ENFORCEMENT COMPETENT AUTHORITY (IECA) & SINGLE COMPETENT AUTHORITY (SCA)

3. reasonable grounds decision (made within 5 days)

- \*ECAT (European Convention against Action on Trafficking) entitlements:
- Financial subsistence
  - Safe and secure housing
  - Access to mental health support
  - Access to emergency physical health support
  - Access to legal advice
  - Access to education for dependants
  - Access to interpreters and information in suitable languages



4. conclusive grounds decision

IMMIGRATION ENFORCEMENT COMPETENT AUTHORITY (IECA) & SINGLE COMPETENT AUTHORITY (SCA)



key terms

**FIRST RESPONDER**  
Any authority or organisation that is authorised to refer a potential victim of modern slavery into the National Referral Mechanism, including police, certain parts of the Home Office and some charities.

**REASONABLE GROUNDS DECISION**  
The initial decision indicating whether or not the authorities believe that individual to be a potential survivor of modern slavery

**CONCLUSIVE GROUNDS DECISION**  
The final decision that determines whether that potential survivor is recognised as a survivor of modern slavery.

**RECOVERY NEEDS ASSESSMENT**  
Following a positive Conclusive Grounds Decision, this assessment enables support workers to consider whether a victim has any ongoing recovery needs arising from their modern slavery experiences.

**REACH IN SUPPORT\***  
\*survivors who have had a positive conclusive grounds after 01/01/2021 can self-refer back into NRM for light touch support.

## ***Modern Slavery Reporting Information***

### **Appendix C - Useful Links:**

#### **Modern Slavery Issue - Report to:**

##### UK Modern Slavery & Exploitation Helpline 08000 121 700

You can call the Helpline to report your suspicions, discuss a situation you are concerned about, or ask for advice or guidance on the next steps you should take.

The Helpline is also able to make referrals to relevant agencies with your consent.

You can call them confidentially/anonymously or report online.

<https://www.devon-cornwall.police.uk/ro/report/ocr/af/how-to-report-a-crime/>

You can contact the police to report limited intelligence or to request an NRM/Duty to Notify referral.

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

If you are from a First Responder organisation you can refer individuals for support using this link or submit a Duty to Notify.

#### **Resources:**

##### Workers' Rights Leaflets - Translations - Languages – GLAA

These leaflets are available in various languages and are useful to provide to staff working in the care sector to inform them of their rights.

##### Modern slavery awareness booklet - GOV.UK (www.gov.uk)

Care Quality Commission (CQC) [Compliance Management System](#)

Training resources - Home Office website; including:

##### *Videos*

- The Gangmasters and Labour Abuse Authority (GLAA) has produced a range of videos on how to spot the signs of modern slavery, methods used by traffickers to exploit their victims, and victims accounts
- The Independent Anti-Slavery Commissioner (IASC) has produced a range of videos by sector on spotting the signs of modern slavery, which may be informative for any public sector worker

#### **Useful Toolkit**

- The Anti-Slavery Partnership Toolkit can be accessed on Nottingham University's website.