

# modern slavery in the care sector

2023



This toolkit seeks to help organisations minimise the risk of modern slavery occurring across their operations and supply chains. More specifically, it will provide insight into how modern slavery is affecting the care sector, and guidance on how to identify, mitigate and prevent modern slavery risk, to protect your organisation and the workers you are employing.

## about

This toolkit has been created by Unseen UK, in collaboration with International Recruitment East, and is designed to provide practical guidance, hints and tips for dealing with the risks of modern slavery in the care sector.

### project information

#### International Recruitment East Programme

International Recruitment East (IRE) is a Government funded programme.

The programme funding is to support care providers in ethical and safe recruitment of international care staff, and refugees with a right to work, into ASC care positions across the East of England.

The IRE Programme aims to improve adult social care provision across the East of England. The heart of the programme is to support care providers in the ethical recruitment of international care professionals. As part of this it also aims to ensure the safety, wellbeing and equipping of all internationally recruited ASC staff. This is necessary in order to ensure the very best quality of care for the people in the East who access ASC services.

International Recruitment East is supported by:

- The 12 local authorities across the East of England
- Skills for Care
- The Association of Directors of Adult Social Services (ADASS) East



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# 1. introduction

## what is modern slavery?

It may be hard to believe in the 21st century, but modern slavery is more prevalent today than it has been at any moment in history. With 50 million individuals across the globe estimated to be in situations of modern slavery, and an estimated 122,000 in the UK\*, exploitation is all around us. Whether through the clothes we buy, the food we eat, or the things we use daily, every one of us is connected to modern slavery – it is a crime hidden in plain sight.

### So, what is it?

Put simply, modern slavery is the illicit trade in human beings who are turned into commodities to be bought, sold, and exploited. Types of modern slavery include forced labour, sexual exploitation, criminal exploitation, domestic servitude, human trafficking, and organ trafficking.

### An individual is in slavery if they are:

- Physically constrained or have restricted movement.
- Owned, monitored, or controlled by an 'employer'.
- Forced to work, often under threat.
- Dehumanised, or traded as 'property'.

\*Global Slavery Index 2023

### What is human trafficking?

Human trafficking is a form of modern slavery where victims are moved or transported. Often human trafficking can get conflated with people smuggling.

### There are some key differences:

#### Choice or consent

Trafficking involves the movement of people through deception, force, or coercion. There is an absence of free choice and consent.

Smuggling, however, is a service someone chooses and consents to.

#### Movement

Trafficking can involve moving victims from one house to another on the same street, it doesn't necessarily involve crossing borders.

Smuggling on the other hand involves crossing the border from one country into another.

#### Crime

Trafficking is a crime committed against an individual. Smuggling is a crime committed against a state.

#### Purpose

The purpose of trafficking is to ultimately exploit the victim for longer term gain.

Whilst there may be a short term monetary gain with smuggling, this is a one-off, short term transaction.

### How are organisations impacted?

Organisations, including legitimate, well-known brands, are greatly susceptible to modern slavery risk.

Workers within an organisations' internal operations and supply chain can be vulnerable to forced labour, where an individual is forced to work often under coercion or threat.

All organisations, regardless of their size, have a responsibility to understand how their activities may be contributing to situations of exploitation, and more broadly, how they can work to create effective industry-wide change.

### Act, means and purpose of human trafficking

#### act

Recruitment  
Abduction  
Transfer  
Transportation  
Harbouring  
Receipt

#### means

Threat or use of force  
Abduction  
Fraud  
Deception  
Abuse of power  
Victim vulnerability  
Giving or receiving payments or benefits

#### purpose

Exploitation

## 2. modern slavery in the care sector – statistics

Care work has always been prone to vulnerability, largely due to the reliance on temporary labour, and the nature of the work, often requiring a worker to be on call around the clock and to live on-site. However, across 2022 and 2023, the number of calls to the Modern Slavery & Exploitation Helpline regarding the exploitation of care workers in the UK significantly increased.

### Helpline statistics

**606%**

increase in the number of modern slavery care sector cases from 2021 to 2022

**152,000**

vacant posts in adult social care in England in 2022/23

**£11,800**

is the average amount of debt reported by people who contacted the Helpline, to pay for recruitment, visa, and travel costs\*

\*Based on Helpline reports received between January and June 2023

**712**

potential victims of modern slavery indicated in the care sector in 2022

**106**

cases of modern slavery indicated in the care sector in 2022

*“The issue with care workers experiencing exploitation is that very vulnerable people are being employed to care for very vulnerable people”*

Justine Carter, Director, Unseen

The addition of care sector roles to the Shortage Occupation list has led to a huge influx of workers travelling to the UK from abroad as the government seeks to reduce the high vacancy levels. However, workers travelling on sponsored care visas are being taken advantage of, largely due to low awareness of worker rights in the UK, with language barriers often exacerbating the struggle to obtain information and support. Workers travelling to the UK on a sponsored visa have often given up a lot to obtain their role, especially workers that have been charged extortionate and unlawful recruitment fees by third parties. In addition, there are numerous obstacles that prevent a worker from being able to transfer their sponsorship if they do find themselves in an exploitative situation once in their role.

To add to this, workers are often required to live on site, or in accommodation provided by their visa sponsor or employer. Although this is often a condition of employment, workers can be charged unfairly high rent that is deducted out of their wages. Having

accommodation linked to a job can also prevent a worker from leaving their job for fear of homelessness, increasing dependency on their employer or sponsor. Living on-site can increase the likelihood of working excessive overtime and facing burnout, with some workers required to be on call around the clock. Some workers have reported working a shift at one location during the day, only to travel to a second location to complete another full shift overnight.

At a time when staff shortages are high in the UK, recruiting from overseas can be a good solution. However, organisations and recruitment agencies need to ensure that workers are protected from the risk of exploitation.

To find out more about how modern slavery is affecting the care sector, read the Unseen UK report, [Who Cares?](#), produced in collaboration with the Care Quality Commission, assessing the scale of modern slavery and exploitation in the care industry based on Helpline statistics.

# 3. current legislation

The legislative landscape surrounding modern slavery is continuously changing, both within the UK and across the globe. It is important to keep up to date with how these will affect your organisation.

## Modern Slavery Act 2015

Under the Modern Slavery Act, all businesses with a turnover greater than £36 million are required to release an annual statement, outlining steps that have been taken by the organisation to mitigate modern slavery across their operations and supply chains. To comply with the law, a modern slavery statement must be reviewed at the board level and signed by senior management. A link to this statement must be easily accessible on the organisation's website, such as on its home page.

## Health and Care Act

This act is a new legislative framework looking at facilitating greater collaboration within the NHS and between the NHS and partner organisations and authorities. The Health and Care Act has been widely welcomed by the modern slavery sector, as the act requires the Department of Health and Social Care (DHSC) to carry out a review into modern slavery and human trafficking risk within NHS supply chains. Following the review the subsequent report must include views from the Secretary of State about what must be done to mitigate any of the risks identified. The act also sets out to eradicate the use of goods within the NHS that are tainted by modern slavery and human trafficking. This piece of legislation is extremely relevant to any businesses who are intending to supply the public health system. However, it is also indicative of the wider policy environment as it currently stands with regard to modern slavery and human trafficking within supply chains.

## Procurement Act 2023

The Procurement Bill received Royal Assent on 26 October 2023. The Act, set to begin in October 2024, aims to create a more transparent system of procurement for public contracts, provide greater opportunities for SMEs and social enterprises, and increase scrutiny on the spending of taxpayers' money. In addition, businesses that have committed offences under the Modern Slavery Act, the National Minimum Wage Act, or the Gangmasters Licensing Act, will be excluded from public contracts.

## Modern Slavery Bill

The Amendment Bill to the current Modern Slavery Act aims to increase the responsibility and consequences of businesses and perpetrators of modern slavery. The amendments seek to cover mandatory modern slavery audits, fines for non-compliance, and greater powers for the Independent Anti-Slavery Commissioner. The bill also aims to make it an offence to source from suppliers or sub-contractors that fail to demonstrate minimum reporting standards of transparency.

## EU Corporate Sustainability Due Diligence Directive

The EU Corporate Sustainability Due Diligence Directive aims to drive sustainable and responsible corporate behaviour, requiring a business to identify, mitigate and prevent the risks of modern slavery across their operations, subsidiaries, and supply chains. The Directive applies to EU and non-EU companies that have over 500 employees and over EUR 150 million turnover worldwide, or operate in a high-impact sector, with over 250 employees and over EUR 40 million turnover worldwide. Although Small and Medium Enterprises (SMEs) are not directly in this scope, they will likely be indirectly affected, through the requirements of larger business partners.

## BSI25700

Although not legislation, the BSI25700 provides useful guidance and a framework that can be used by an organisation to address modern slavery risk across their operations and supply chain and improve performance. The standard is based on the principles of the United Nations' Guiding Principles on Business and Human Rights, and the UK's Modern Slavery Act 2015.

# 4. labour abuse and forced labour

Labour abuse and forced labour are the most likely forms of exploitation to occur in the care sector. Exploitation operates on a continuum, meaning what may begin as poor working practices can lead to labour abuse and, in its extreme, modern slavery.



## Labour abuse

Labour abuse occurs when a worker's rights are disrespected or violated by an employer, leading to unfair work.

Examples of labour abuse include:

- Being paid below National Minimum Wage (NMW)
- No holiday pay entitlements
- Inability to take breaks
- Excessive working hours or non-voluntary overtime
- No employment contract.

## Forced labour

Forced labour is a more extreme violation and is a type of modern slavery. Forced labour involves a worker that is forced or coerced to work by an employer, often under threat, manipulation, or control.

Examples of forced labour include:

- Violence, or threats of violence, to the worker or their friends/ family
- Workers not receiving a wage, receiving a low wage, or facing extortionate deductions
- Restrictions on the freedom of a worker or monitoring of a worker
- Workers without access to their ID or personal possessions
- Threats to inform authorities (especially for foreign workers)
- Workers forced to pay back large debts (debt bondage), often for their job, transport, or accommodation.

## CASE STUDY

Liyla\* called the Modern Slavery & Exploitation Helpline to report concerns about her working conditions at a care home.

Liyla reported having to pay recruitment fees of over £7000 to obtain her job in the UK. Upon starting work, Liyla was required to work excessive hours, starting work at six am and rarely finishing before midnight. Liyla was required to travel to different locations for her work and was only paid for time spent with clients, with clients – an average of four hours per day.

On top of having to pay back recruitment fees each month, Liyla was also charged high rent and living costs, which left her with little money for food.

If Liyla tried to complain, she was threatened with a cancelled sponsorship visa and deportation.

\*Name has been changed to protect the individual's identity.



# 5. spotting the signs

Raising awareness of how to spot the signs of modern slavery can help individuals to identify key indicators of exploitation in others, or in their own working lives. Empowering your organisation with knowledge of an issue that is increasingly affecting the sector can help to identify issues earlier.

Modern slavery and exploitation is a crime hidden in plain sight, so it can be difficult to identify a potential victim.

## Key signs to be aware of

- **Appearance** – is the person scruffy, unhygienic, or exhausted? Do they wear an unwashed uniform to work every day?
- **Behaviour** – do they appear timid, or afraid? Do they keep quiet and avoid eye contact, as if out of fear?
- **Restricted movement** – is there anyone watching them, or picking them up and dropping them off at work? Are they able to leave work freely, or do things they enjoy outside of work?
- **Accommodation** – do they live with lots of other people in cramped accommodation? Are their living conditions of a good standard, where they can comfortably relax?
- **Treatment** – do they appear to be controlled by another person, or change how they act when someone else is around?

## Signs to spot in the care sector

- Agents offering cheap labour – if an offer seems too good to be true, it probably is
- Accommodation provided by employer/agent – whilst this is currently common practice in the care sector, indebtedness to the employer for accommodation is a common indicator of modern slavery. This indicator should not be viewed in isolation, but instead considered within the context of any other indicators.
- Lack of access to their own documents – including passports, visas, and qualification certificates may be taken from workers
- Long hours with little or no time off
- Workers always being accompanied, monitored, and translated for
- No contracts and pay below national minimum wage.

## Other more subtle indicators of exploitation can include a person:

- Lacking money or going hungry, even after payday
- Feeling unable to leave their place of work, and lacking any free time
- Being monitored by someone else
- Working under constant threat of being fired, or being faced with disciplinary action without sufficient reason

## What makes a worker vulnerable?

There are many factors that can make an individual vulnerable to exploitation. Vulnerabilities in the care sector can include:

### ◆ Recruitment fees

Many care workers who have travelled to the UK for work have reported having to pay recruitment fees, which can amount to thousands of pounds. Workers may take out loans in their home country, borrow from family members, or sell their possessions, with the risk of interest increasing their debt further. The worker will then be under pressure to pay back the debt, with some workers ending up in a debt-bondage situation that they are unable to leave.

### ◆ Migrant workers

Individuals who have travelled to the UK to work in the care sector, often via sponsored visas, can be at higher risk of exploitation. Workers may be recruited via informal means, such as through family members, their community, or third party intermediaries. This may limit their ability to access support or challenge a situation. Worker's visas can also limit the ability to switch employers. This can trap a worker in an exploitative situation, for fear that their alternative is to be sent home without paying off the debts they may have accrued.

### ◆ Language barriers

Language barriers can prevent a worker from understanding their rights in the UK, or understanding how they are able to access grievance mechanisms. Without this knowledge, an individual can feel trapped in a situation, lacking the necessary support to change their situation.

### ◆ Limited or no social network

Often compounded with language barriers, a lack of support or a known network around a worker can leave them isolated and unsure of how to access help. An individual may not recognise that they are in an exploitative situation, and may lack the ability to confirm whether others are also experiencing unfair treatment.

### ◆ On-site accommodation

Given the nature of care work, workers are often required to live on-site, which can create an environment isolated from the outside world. Living where you work can also blur the boundaries between work and rest, potentially leading to excessive working hours that may be unpaid.

# 6. the national referral mechanism

The National Referral Mechanism (NRM) is the UK system of identifying and supporting victims of modern slavery.

The number of people referred to the NRM is increasing year on year, indicating that more individuals are being identified and are therefore able to access support.

## The NRM Process

Entry into the NRM allows a potential victim of modern slavery to be assessed and provides access to support services for that individual.

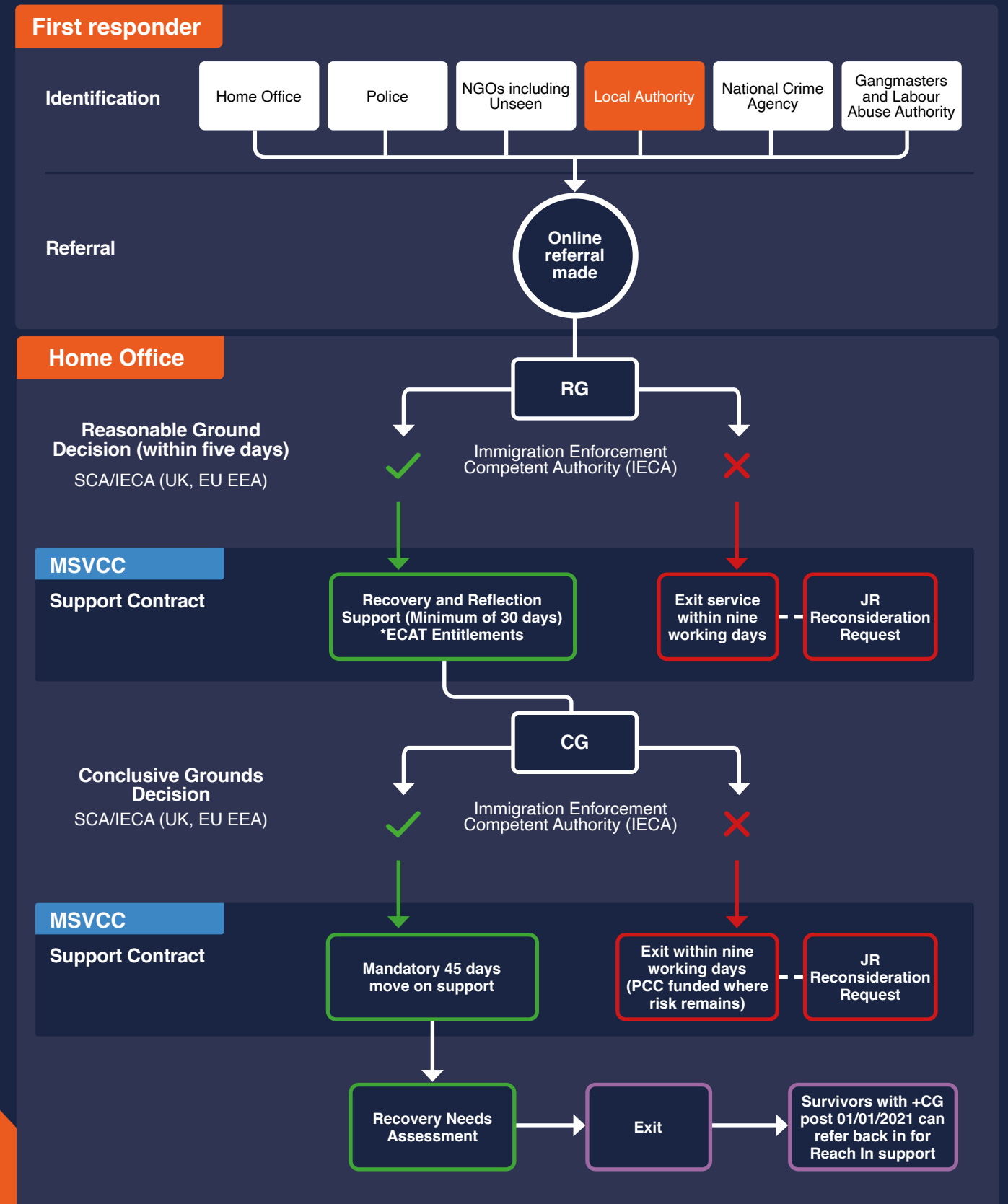
As the initiator of this process, a first responder (see page 16 for details) plays a critical role in referring an individual and gathering as much information as possible regarding their situation.

The Home Office will review all the evidence provided in the referral before an individual can be entered into the NRM. If the individual is a UK national, the Single

Competent Authority (SCA) will assess their case. If the individual is a non-UK national, the Immigration Enforcement Authority (IECA) will assess their case.

Firstly, a reasonable grounds decision will be made, determining whether there are reasonable grounds to assume that the individual is a victim of modern slavery. After 30 days, the Home Office will provide a conclusive grounds decision, deeming whether there are conclusive grounds to confirm that the individual is recognised as a victim of modern slavery in the UK.

## The NRM referral process





## 7. local authorities as first responders

Local Authorities are in a critical position to identify, engage, and facilitate support for vulnerable individuals.

### What are first responders?

First responders are organisations authorised to refer potential victims of modern slavery into the National Referral Mechanism (NRM), the UK's system of support for victims of modern slavery. Alongside The Home Office, the Police, the National Crime Agency, and more, Local Authorities are first responders. First responders have a duty to consider whether any individuals they meet through their work may be a victim of modern slavery.

### What to look out for

Individuals who have experienced traumatic or distressing events can present in different ways. An individual is unlikely to self-identify as a victim of modern slavery, so it is important to remain vigilant of any key indicators.

### First responder responsibilities.

- identify potential victims of modern slavery and recognise the indicators of modern slavery.
- gather information in order to understand what has happened to them.
- refer victims into the NRM via the online process OR notify the Home Office (in the case that a victim doesn't consent to being referred to the NRM).
- provide a point of contact for the competent authority to assist with the Reasonable and Conclusive Grounds decisions and to request a reconsideration where a first responder believes it is appropriate to do so.

### What to consider:

- Are there indicators of fear, control, or restriction?
- Is the individual scared of authorities or their employer?
- What is the physical or psychological state of the individual? Are there signs of abuse?
- Does the individual have access to their own identity documents?
- Is the individual's account like one you've heard before, or does it sound scripted?

It is important that every potential situation of exploitation is assessed on a case-by-case basis. Generally, it is best to find out as much information as possible from the worker initially, and to work out what the worker would like to happen. Intervening in a situation straight away can potentially exacerbate the situation.

If you have concerns about a worker, or a worker has come to you seeking support, contact the **Modern Slavery and Exploitation Helpline on 08000 121 700.**

The service is free, confidential, and open 24/7, 365 days a year with translation in over 200 languages.

## 8. duty to notify

Under section 52 of the Modern Slavery Act 2015, local authorities are under a legal 'duty to notify' the Home office when they identify a potential victim of modern slavery.

For children (under 18 years old), this means referring them into the NRM through children's services. For adults, a referral can be made if the individual gives informed consent. If an adult doesn't consent to being referred to the NRM, local authorities (first responders) are still under a duty to notify and should refer the situation to the Home Office. Although this will not enter an individual into the NRM, it helps to build the national picture of the issue.

### Information to include:

1. The name of the public authority making the notification.
2. The victim's gender.
3. The victim's nationality.
4. Whether the victim was under the age of 18 at the time the slavery or human trafficking first occurred.
5. Whether the public authority believes that the person may be a victim of slavery.
6. Whether the public authority believes that the person may be a victim of human trafficking.
7. The country or territory where the public authority believes the slavery or human trafficking occurred.
8. Whether the public authority has referred the suspected slavery or human trafficking of the victim to the police.
9. The police area in which the victim has been identified.
10. Where the public authority believes that the person may be a victim of slavery, whether the public authority believes that the slavery:
  - (a) occurred wholly or partly within residential premises;
  - (b) involved slavery, servitude, and forced or compulsory labour;
  - (c) involved sexual exploitation; or
  - (d) involved the commission of an offence by the victim.

11. Where the public authority believes that the person may be a victim of human trafficking, whether the public authority believes the human trafficking—
  - (a) occurred wholly or partly within residential premises;
  - (b) involved slavery, servitude, and forced or compulsory labour;
  - (c) involved sexual exploitation;
  - (d) involved removal of organs; or
  - (e) involved the commission of an offence by the victim.

Information submitted as part of a duty to notify must not identify the potential victim unless they have consented to provide their personal details.

As first responders, local authorities may also receive referrals from non-first responder organisations (for example health bodies or charities working with victims) where they believe a potential victim should be referred into the NRM.

It is important to note that the duty to refer applies whether or not a local authority is supporting a victim of modern slavery.

All NRM referrals and duty to notify submissions should be referred by the first responder to the police - either on the victim's behalf if they give consent, or as a third-party referral if they don't give consent (provided this does not breach any obligation of confidence under the common law).

Please refer to the 'Useful tools' section on page 35 for links to more information on this topic.

# 9. entering an individual into the NRM as a first responder

As a first responder, it is important that you are aware of your role in referring a victim into the NRM and the different stages of the process. It is important to note that entry into the NRM, unless the individual is believed to be under 18 years old, must be based on consent. The individual must be free to choose whether they wish to engage with the authorities and seek governmental support.

## An outline of the NRM referral process



## Making a referral to the NRM

The steps below outline the process of referring an individual to the NRM, and the potential outcomes.

1. Safeguard the individual, and be prepared to call emergency services if the individual is in immediate danger. If the individual is non-English speaking, seek professional translation services instead of using an accompanying translator, as this may be the exploiter.
2. Make sure you are in a safe space to explain how the NRM works, the different options the individual has, and that consent is needed to be entered. It is important to manage expectations, as the NRM can be a lengthy process and support services are temporary.
3. Where an adult individual consents to be entered into the NRM, a first responder must make a referral using the online portal. If the individual is under 18 years old, they must be entered into the NRM. The First Responder must also contact The Salvation Army. If an adult does not consent, first responders have a duty to notify the Home Office.
4. If the individual is destitute, or their accommodation is not deemed appropriate, they are entitled to housing even if they have no recourse to public funds. The Salvation Army may be unable to provide immediate accommodation, therefore the first responder will need to provide housing until the Salvation Army can find appropriate housing.
5. Within five days, the competent authority must make a positive or negative reasonable grounds decision. If the decision is positive, the individual will be entered into the NRM and can receive 30 days of support via the Victim Care Contract.  

If the decision is negative, and the individual is already in NRM support due to destitution, they are required to leave within nine days. First responders can request a reconsideration of a negative reasonable grounds decision.
6. After 30 days, the competent authority will make a conclusive grounds decision, determining whether the individual has been recognised as a victim of modern slavery in the UK. It is worth noting that decisions can take far longer than 30 days.  

If the decision is positive, the individual is entitled to 30 days of support. If the decision is negative, the individual must exit support within nine days. A first responder can request a reconsideration of a conclusive ground decision.
7. Individuals who have received a positive conclusive grounds decision will undergo a Recovery Needs Assessment – assessing the further support that the individual requires. Even after the individual exits support, they are entitled to Reach-In Support Services.

## The Victim Care Contract

Once an individual has been referred into the NRM, and the Salvation Army has been notified, the individual will receive support from the Victim Care Contract. Support available for survivors includes financial subsistence, safe and secure housing, access to mental health support, emergency physical health support, and legal advice.

The Salvation Army are the prime contractors of the Victim Care Contract, but support is subcontracted out, dependent on the location of the individual. Individuals are often relocated from their usual residences to ensure they are not in proximity to their exploiters. However, some individuals do remain in their communities.

### Subcontracts of Victim Care Contract by area:

- East Anglia: The Salvation Army
- East Midlands: The Salvation Army
- London: The Salvation Army and Hestia
- North West: City Hearts and Medaille Trust
- North East: The Salvation Army
- Yorkshire and Humberside: City Hearts and The Snowdrop Project
- Wales: BAWSO
- West Midlands: Black Country Women's Aid
- South East: Migrant Help
- South West: Unseen UK, BCHA, and Medaille Trust

## NRM – what to do, and what not to do

### Do

- ✓ Provide evidence of the exploitation and explain your concerns clearly.
- ✓ Consider the 'act', 'means', and 'purpose' of the situation.
- ✓ Include any safeguarding concerns you have, such as medical or mental health needs.
- ✓ Include information about other agencies that are aware of the situation.
- ✓ Provide information about the individual's accommodation, and any concerns you have about its safety.
- ✓ Consider how your referral sounds and whether there is unconscious bias.
- ✓ Include timeframes and location of exploitation.

### Don't

- ✗ Use abbreviations or confusing statements.
- ✗ Provide inaccurate or insufficient data – the referral needs to be based on objective factors.
- ✗ Provide insufficient information about how the exploitation occurred or ended.

### Do (Post-referral)

- ✓ Remain in contact with the SCA/IECA and keep them up-to-date with new information.
- ✓ Agree on a single point of contact to engage with the SCA/IECA, should you leave your role.
- ✓ Provide additional information within two weeks if requested by SCA/IECA and ask specifically what information they need.

# 10. trauma-informed care

As a result of their experiences, survivors of modern slavery will have experienced trauma. It is therefore crucial that those working with survivors adopt a trauma-informed approach to their work.

## What is trauma?

Trauma occurs when an individual experiences extremely distressing or stressful events that shatter their sense of security. It can be very difficult to function normally after events have ended, and recovery is often a long and ongoing process.

## Trauma-informed care

Working with vulnerable individuals in a trauma-informed way can ensure that you are able to recognise trauma and support an individual without re-traumatising them.

### Five key principles for trauma-informed care (TIC):

- **Safety** – safeguard the individual against future exploitation.
- **Choice** – decisions are always the individual's to make.
- **Collaboration** – recovery should be collaborative, but led by the individual.
- **Empowerment** – the individual can reclaim power and agency back over their own life.
- **Trustworthiness** – help the individual to reestablish trust, no matter how long this takes.

## Trauma typologies

Trauma can change a person's behaviour, and this can affect how that individual interacts with those around them. Below, are three examples of ways individuals that have endured trauma may present:

1. **The 'sympathetic'** – an individual who presents as weak and vulnerable, would leave their exploitation if they could, and is ready to turn in their exploiter.
2. **The 'non-credible'** – an individual whose story doesn't make sense or is confused, or who withholds information to protect their abuser.
3. **The 'troublemaker'** – an individual who presents as uncooperative, untrusting, and scared. They may show the effects of trauma bonding, or may show responses such as difficulty connecting with others, substance abuse, and complex mental health needs.

# 11. conducting a trauma-informed NRM interview

Working in a trauma-informed way will ensure that you can support an individual who has been through an experience of exploitation. This approach should be applied across the board when working with any vulnerable individual.

As a first responder, you will be responsible for conducting an NRM interview to gather as much information and evidence as you can regarding an individual's situation.

There are four key things to consider when conducting an NRM interview:

## Environment

- Can you conduct the interview in a confidential but not confined space?
- Can you ensure the environment is relaxed and informal?
- If children are present, can arrangements be made for the interview to take place while the children are safeguarded?

## Timing

- NRM interviews can be lengthy – do you have time to conduct the interview?
- If you can safeguard the individual in overnight accommodation, it may be more appropriate to hold the interview the following day.
- If your shift ends before the interview does, what will happen?

## Interviewer

- Are you the best person to conduct the interview? If the individual has built a rapport with a colleague, perhaps they could conduct the interview instead.

## Interviewee

- Would the individual prefer a male or female interviewer? This is especially important to consider in situations of sexual exploitation.
- Is an interpreter needed and do you have access to translation services?
- Does the individual need any food or drink?



# 12. protecting workers

The care sector relies heavily on temporary labour, and a high usage of recruitment agencies, which increases the risk of exploitation among workers. Both recruitment agencies and care organisations have a responsibility to ensure that all workers are safe from harm and that effective measures are in place to prevent exploitation from occurring.

## Here are a few simple steps you can take to lower the risk of exploitation:

### Ensure that appropriate Right to Work checks have been undertaken.

It is critical that recruitment agencies check that all workers have a right to work in the UK. As part of this, ensure that the worker has their own legitimate identity documents and that these documents are not in someone else's possession. In addition, check that the worker has not paid recruitment fees to a third party to obtain their job, as this could leave a worker trapped in a situation of debt bondage.

### Check that all workers have access to their own bank account, mobile number, and address.

A common indicator of exploitation is workers sharing the same personal details, such as their address, mobile number, or even their next of kin details. Workers having a shared address is common, and often legitimate. However, if numerous workers are

seeking a job and providing the same details, it may be necessary to ask further questions. For example, shared personal details could indicate that workers are living in accommodation provided by a potential exploiter, who is forcing workers to list the exploiter as their next of kin. Similarly, shared bank details could indicate that workers' wages are being paid into someone else's account, meaning they will not have access to their own pay.

### Raising awareness

Raising awareness of the scale of modern slavery, how a worker may be impacted, and how to access support, can ensure that workers can identify when things aren't right. This should include providing workers with the Modern Slavery and Exploitation Helpline number, enabling them to call if they find themselves in a situation of concern or need advice.

## Tip:

Having the correct due diligence practices in place can help to lower the vulnerability of workers. Having ineffective practices can allow potential red flags to go unnoticed, putting workers at high risk within an already high-risk industry.

## Recruitment Agencies

To protect workers from the risks of labour abuse and forced labour, there are certain measures that should be in place to ensure that a worker understands their rights as an employee in the UK and how to raise a concern.

All workers employed in the UK should receive a contract, or a written agreement, outlining their terms of employment, and this must be available in a language they understand.

Under the Conduct of Employment Agencies and Employment Business Regulations 2003, the recruitment industry must require that all workers receive written terms of employment before starting work.

### Terms of employment must include:

- Working hours
- Rate of pay
- Holiday and sick pay entitlements
- Deductions from pay
- Accommodation arrangements

Further information can be found at [ACAS: Working through an agency](#) or for REC members, you can find further information on the [REC website](#).

As a business in the care sector, you can start by building strong relationships with the recruitment agencies that you use to supply labour. As well as conducting your own due diligence checks and ensuring workers have all information and documentation necessary in a language they understand, encourage the organisations you recruit for to:

- ◇ **Raise awareness of modern slavery and exploitation among workers.**
- ◇ **Ensure there are grievance mechanisms in place such as a whistleblowing line, and that the Modern Slavery and Exploitation Helpline is clearly signposted.**
- ◇ **Display posters in different languages, to ensure all workers know how to raise a concern or seek help.**
- ◇ **Avoid using other colleagues as translators, as you cannot guarantee that the information being translated is correct and that the relationship is not exploitative. Seek formal interpreter services, such as Clear Voice.**
- ◇ **Conduct due diligence checks to ensure workers have access to their own ID.**
- ◇ **Create a top-down culture committed to preventing worker exploitation and continuously improving standards for workers.**



## Worker engagement

Workers should have numerous ways to engage with your organisation and provide feedback. Promoting the importance of worker voice from the top can help your organisation to embed a culture of transparency and open dialogue, allowing workers to freely voice their concerns without repercussion.

Having a range of different channels that workers can access can boost engagement levels and allow workers to provide feedback in a way they feel comfortable with. In addition, clearly explaining how your organisation will action feedback received shows that you listen to and trust your workers, and are willing to support workers through any necessary remediation of their circumstances.

These channels should not just be available for direct employees. Your organisation has a responsibility to engage with agency workers to better understand

their working conditions and whether they are subject to exploitative working practices. It is important to remember that exploitation can occur inside and outside of the workplace. Even if a concern is raised outside the scope of modern slavery or exploitation, it is important to support the worker by signposting them to available support services.

### To boost worker engagement an organisation can:

- Conduct regular and anonymous worker surveys.
- Conduct worker interviews or one-on-one sessions.
- Keep information boards up to date with different ways that a worker can access support, such as through the Modern Slavery and Exploitation Helpline.
- Place a suggestion box in the workplace, that workers can anonymously provide feedback through.

## Tip:

Many workers arrive in the UK without knowing what their rights are. Provide workers with information on their basic legal rights as an employee in the UK, and signpost to further information.





# 13. working with third parties

When working with third parties, there are five critical steps to take to ensure that your due diligence strategy is effective and resilient to modern slavery risk:

## 1. Strong management processes

Having strong policies and processes in place with clear oversight can help to build strong, transparent relationships with suppliers.

## 2. Identify and assess risk

Ensure you understand where the risks in your organisation lie.

## 3. Implement a risk management strategy

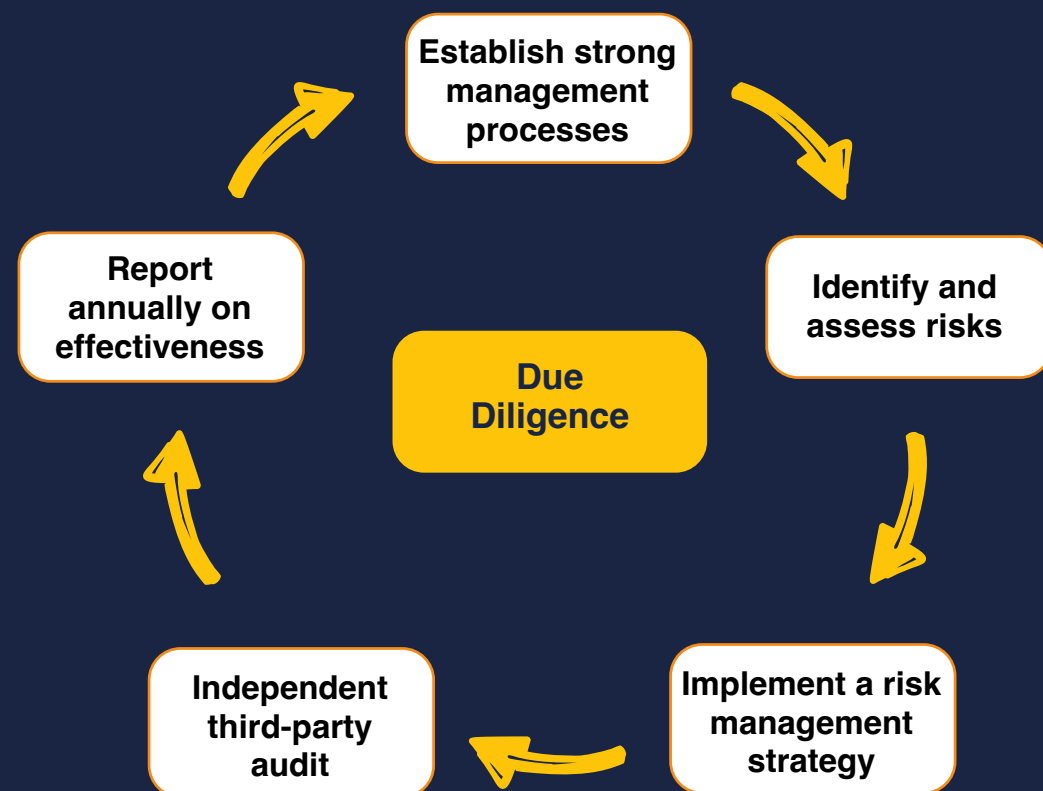
Create an action plan to address the risks you have identified.

## 4. Independent third-party audits

Conduct regular audits with high-risk suppliers to ensure your risk management strategy is effective.

## 5. Report annually on effectiveness

Measure and report your progress annually, outlining the effectiveness of your action plan.



## Risk Assessment

Conducting a risk assessment of your current and prospected suppliers can help you identify where your highest risks lie.

Procurement teams can conduct pre-procurement research, to identify whether the goods they are seeking to procure are associated with any human rights risks and any points that need to be considered.

At the start of 2023, the government published [PPN02/23:Tackling Modern Slavery in Government Supply Chains](#). This guidance contains useful information that can be used by any organisation on how to effectively consider modern slavery risk in procurement.

As part of the guidance, there are four key categories that your procurement team should assess, and based on these, you can determine whether a supplier is a low, medium or high risk.

<p><b>Workforce</b></p> <p>Is the work labour intensive? Is it dangerous? Do they use temporary labour?</p>	<p><b>Location and context</b></p> <p>Are they operating in a high-risk area? Are there poor labour standards? Is this a place of war, poverty, or environmental disasters?</p>	<p><b>Commodity type</b></p> <p>Certain goods, such as raw materials, are higher risk than others. It may be necessary to look beyond your tier 1 supply chain to identify your link to harm.</p>	<p><b>Business and supply chain model</b></p> <p>Long complex supply chains often lack transparency and are a higher risk.</p>
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## The Modern Slavery Assessment Tool

The [Modern Slavery Assessment Tool \(MSAT\)](#), has been designed to help public sector organisations manage the risks of modern slavery and exploitation across their operations and supply chains. This can help organisations to manage the risks across procurement in particular. An organisation can register as a 'buyer' and will then be able to invite new or existing clients or partners to complete the MSAT. To find out more about the MSAT and how you can register, head to <https://supplierregistration.cabinetoffice.gov.uk/msat>.

other useful resources can be found on **page 35**

If an incident of modern slavery is identified in your supply chain, terminating a contract should be a final resort. Terminating a contract can increase worker vulnerability and put individuals in further danger. A more effective strategy is to engage directly with the supplier, working with them to remediate the issue and instil an action plan to prevent a similar situation from occurring in the future. If a supplier is unwilling to engage in actions to remediate the situation, then termination of the contract can be considered.





### CASE STUDY

Heather\* was put in touch with the Modern Slavery & Exploitation Helpline via one of her clients who had serious concerns for Heather's wellbeing.

Heather had come to work in the UK care sector on a sponsored visa. She reported that recruitment in her home country seemed legitimate – she had signed the necessary paperwork, was supported with her visa application, and paid for her own flight to the UK. However, when she arrived, she was quickly subject to adverse conditions to those she was promised.

To carry out her role, Heather was forced to purchase a rundown company car from her employer, via a loan that was paid back to her employer out of her wages. Due to the condition of the car, Heather had to take out a further loan from her employer to make several expensive repairs after only having the car for a few weeks, putting her into more debt.

Alongside car and insurance costs, a large deduction was taken from her wages each month to pay for rent at a property, also owned by her employer. The property Heather lived in was shared with four other workers, and her bedroom had black mould growing across one of the walls. Although Heather worked on average 15 hours per day, she was only paid for the 45 hours per week agreed in her contract with no extra for overtime. After deductions had been paid each month, Heather didn't have enough money to send back home to her family.

\*Name has been changed to protect the individual's identity



# 14. frequently asked questions

## Identifying potential victims

**How should we approach the situation when we think someone is being exploited? Is it too dangerous to talk to them directly?**

Each situation of exploitation is different and comes with differing levels of risk. If you suspect that someone is being exploited, we strongly recommend that you do not do anything out of the ordinary and do not put yourself in a dangerous situation. If it is safe to speak to a potential victim directly, we would advise that you ensure that they feel comfortable to do so and speak with them away from anyone who could be a potential exploiter. We would recommend that you build a rapport with the potential victim, and demonstrate interest in their immediate safety, health, and practical needs. If a potential victim does not want to disclose information, or if they are not ready to leave their situation, we should respect this and empower the individual to make their own decisions. Instead, we can keep an open line of communication with the individual and make a safety plan with them, ensuring that they know the options available for them and routes to receive support when they are ready. Remember, you can also contact the Modern Slavery & Exploitation Helpline for advice before speaking to someone, or while you are with them.

If you suspect that someone is being exploited, but it is not safe to speak to them directly, you can report the situation to the Modern Slavery and Exploitation Helpline. The Helpline will assess the situation for indicators of modern slavery or adjacent crimes and make any necessary referrals to law enforcement. The helpline can also give further advice about what signs to look out for, and what support could be available for that individual. If you suspect exploitation of someone in a professional capacity, consider what routes are available, for example, a modern slavery policy, an employee whistleblowing line, or making a report to HR. Unseen would strongly recommend that you are mindful of who you are reporting the information to, and consider whether there could be any potential risk before sharing sensitive information.

**Where can we refer carers or people who may be victims of modern slavery?**

- You can notify the police if it is an urgent or life-threatening situation.
- If the situation is not urgent, you can contact the local authority who will act as first responders.
- If you are unsure or need advice or support, you can contact the Modern Slavery & Exploitation Helpline.

**Who is reporting cases to the Helpline?**

Many different people report to the Helpline. The majority of reports come from people in direct contact with a potential victim. The second highest number of reports come from potential victims themselves, and thirdly, from people who have observed suspicious activity.

## Organisational approach

**Do you have examples of modern slavery KPIs?**

Modern slavery KPIs should demonstrate transparency in a business's efforts to tackle modern slavery, as well as make it easier to track progress over time. They could range from the percentage of workers trained on the topic to the percentage of suppliers/subcontractors/agencies having undergone an ethical audit. KPIs will be different for every organisation.

**What classifies as a large business?**

When considering Section 54 of the Modern Slavery Act 2015, a business is a large business if they are over the threshold of £36 million turnover.

**How can we effectively carry out a risk assessment if elements of the procurement process sit outside of the business ie with the Home Office?**

There may be challenges in the availability of information needed for a thorough risk assessment, however, we would encourage organisations to use all information at their disposal to make an informed assessment.

## Small businesses

**What due diligence measures and risk management practices can we put in place as a small business?**

**Do you have a template for audit questions for small businesses?**

**Can we get any further resources to send to suppliers?**

**What can businesses be doing if they fall under the £36 million threshold?**

Answer to all the above: Unseen has a toolkit for SMEs to support their approach to tackling modern slavery risks. Request a copy [here](#).

## Local authority obligations

**As a first responder, what should we do if we come across a victim in our personal life?**

We suggest that if the situation is non-urgent, the first responder should follow up on it once they're back at work. If the situation is urgent, then we suggest calling the police.

**Is it in the potential victim's best interests to start the NRM process?**

It's important to consider whether the potential victim wants support via the NRM. Potential victims over the age of 18 must consent to this, so it's important to clearly explain the process, as well as the pros and cons, so that they can make an informed decision. It is not for the first responder to decide for them.

**Who's responsibility is it to identify and support potential victims?**

In England and Wales, under section 52 of the Modern Slavery Act 2015, local authorities have a legal statutory duty to notify the Home Office when they come across potential victims of modern slavery. Please see pages 16 and 17 for more details.

# 15. useful tools

Unseen UK, Who Cares? Report ([Link](#))

Unseen UK, Modern Slavery in the Care Sector – Problems and Solutions ([Link](#))

The Salvation Army Victim Care Contract ([Link](#))

Right-to-work checklist ([Link](#))

PPN 02/23: Tackling Modern Slavery in Government Supply Chains ([Link](#))

## Global picture

Location and context: Walk Free Global Slavery Index ([Link](#))

Commodity type: U.S Department of Labor: List of Goods Produced by Child Labor or Forced Labor ([Link](#))

United States' Bureau of International Labor Affairs (ILAB) List of Goods Produced by Child Labor or Forced Labor ([Link](#))

## Local Authority resources:

Council guide to tackling modern slavery ([Link](#))

Modern Slavery: statutory guidance for England and Wales (under s49 of the Modern Slavery Act 2015) and non-statutory guidance for Scotland and Northern Ireland ([Link](#))

## Unseen app

The Unseen app provides a simple guide to recognising the signs of modern slavery and human trafficking, and reporting concerns in confidence. There is also a guide to types of modern slavery, an outline of key legislation, and an explanation of how to contact the Modern Slavery & Exploitation Helpline in 27 languages.

The app is on the phones of thousands of frontline professionals across the UK, and is recommended by senior police officers and anti-slavery experts.

You can download the app below or by searching “UnseenUK” on your app provider.



**If you need guidance or support,  
contact the confidential and  
independent Modern Slavery  
& Exploitation Helpline, 24/7,  
365 days a year.**

**08000 121 700**



**unseenuk.org**

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