

Modern Slavery and Unethical International Recruitment

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Modern Slavery and International Recruitment

- Workers recruited from overseas are a hugely valuable and important part of the UK's health and social care workforce
- International recruitment itself is not a risk that leads to modern slavery
- [CQC has published a regulatory policy position on modern slavery and unethical international recruitment](#)
- A nationwide shortage of staff across health and social care - along with recent changes to immigration visas - has introduced **concerns and increased risk of mistreatment of existing workforce and internationally recruited staff**. This includes an increased risk of modern slavery and unethical international recruitment practices
- Modern slavery and unethical international recruitment practices can be present in any health and social care setting - **victims could be staff working in services, or service users**

Modern Slavery and International Recruitment

- These practices are incompatible with our values - we support the government's objective to eradicate modern slavery and human trafficking.
- Our purpose is to **ensure health and care services provide people with safe, high-quality care and to encourage those services to improve.**
- Aligning with the Human Rights Act, this means that care should:
 - respect people's human rights
 - not expose people to the risk of abuse, improper treatment, and neglect
 - protect people from risk of harm.
- Studies inform us that providers who treat their staff poorly are more likely to deliver poor quality care to the people who use their services, through no fault of the victim.

Modern Slavery and International Recruitment

- **We will use our powers to take regulatory and enforcement action** against registered providers where we identify a risk of harm and breaches of regulations
- Our **new assessment framework** will allow us to routinely assess how a provider is managing the risks of modern slavery and ensuring the wellbeing of internationally recruited staff.
- **We expect providers to have:**
 - safeguarding policies and procedures with clear support and guidance for staff
 - safe, thorough, and effective recruitment processes that prevent modern slavery
 - clear processes when using a recruitment agency, including checking the agency is carrying out the recruitment checks that they would normally do

What is CQC's remit:

Modern Slavery and Unethical International Recruitment is present in all sectors.

What we <u>cannot</u> do	What we can do
<p>Investigate/assess/inspect concerns relating to</p> <ul style="list-style-type: none">• modern slavery• immigration and visas• international recruitment	<p>CQC will refer to and share the information with relevant partner agencies – Home Office UKVI – GLAA etc</p> <p>Regulate as per Health and Social Care Act & Regulations</p> <ul style="list-style-type: none">• 19 Fit and Proper persons employed• Schedule 3• Regulation 18 Staffing• Regulation 17 Good Governance• Regulation 12 Safe Care and Treatment <p>Assess the risk and determine there is a need for a regulatory response.</p>

Framework

Assess the risk to:

- people who use the service
- the viability of the business model to meet care needs
- to those employed

Multi-agency approach to manage identified risks

Modern Slavery

*Modern slavery is defined as **the recruitment, movement, harbouring or receiving of children, women or men through the use of force, coercion, abuse of vulnerability, deception or other means for the purpose of exploitation.***

It is a **criminal offence** under the Modern Slavery Act 2015 and includes holding a person in a position of slavery, servitude forced or compulsory labour, or facilitating their travel with the intention of exploiting them.

This does not only relate to those people who are from overseas.

Signs – no one type of victim

THERE IS NO ONE TYPE OF MODERN SLAVERY VICTIM **MODERN SLAVERY**
Police Transformation

VICTIM VULNERABILITIES Victims are targeted by offenders due to their vulnerabilities:

- Limited access to education
- Immigration status
- Difficult family background
- Child
- Mental health problems
- Drug & alcohol dependency
- Homelessness/ poverty
- Geographic instability, natural disaster & war

DECEPTION

Victims are promised something which does not come into being. Some victims know their intended employment, most do not. It is likely that most will not know how exploitative the circumstances will be

- Adoption
- Boyfriend model
- School
- Au pair
- Fruit, veg, flower picking
- Conditions
- Low wages
- Hours worked

Victims may travel to the UK with different expectations

Victims may be misled about a job's nature, existence, or legality

Victims may be misled about their hours, wages, or living/working conditions

Victims are promised a better life, job opportunities, and more money. They may have debts, families to support, and struggle to get work at home

COERCION

Victims are coerced into exploitation through force, abuse or blackmail. Coercion may be ongoing throughout the exploitation

- Substance addiction
- Withholding of medication
- Blackmail
- Impersonation of authority
- Abuse & force

SIGNS OF EXPLOITATION

- Long hours
- Substance addiction
- Chaperoned/ accompanied
- Lack of possessions
- Language barriers
- Passport held by someone else
- Pregnancy
- Lack of personal protective equipment
- Lack of access to medical care, strange injuries
- Isolation & observation
- Money deducted from salary for food
- No keys/can't come and go
- Malnutrition
- Psychological trauma
- Sporadic school attendance
- Money withheld
- Ritual abuse/ witchcraft

WHY DO VICTIMS STAY?

Victims can stay within an exploitative situation for a number of reasons: they are scared to leave, feel they have nothing better to return to, or believe that they are living a better life. They may not see themselves as victims, or the situation might be more acceptable within their culture. Victims may have no money, are unsure where to go, or are fearful of authorities

- Immigration status
- Blackmail
- Threats to family
- ID taken
- Debt bondage
- Low wages

PROVING VICTIMHOOD

- Is accommodation provided by the employer?
- Is accommodation in poor condition or overcrowded?
- Proof of organisation/payment of travel, to prove trafficking
- Was the victim... (icon of person with suitcase)
- Someone else has possession of the victims' documents
- Health records
- Use of CCTV to show who is withdrawing money
- Was the victim accompanied to get their NINno? Did the chaperones give their contact details for a number of people?
- Was the victim accompanied to get their bank card? What is the victim's money being spent on? Flights for other people?

Signs – no one type of offender

THERE IS NO ONE TYPE OF MODERN SLAVERY OFFENDER

ORGANISATION

FAMILY

GANG

COUPLE

LONE OFFENDER

OCGs frequently have commonalities between members, such as nationality, ethnicity or language. This is also seen in their victims

There may be links with other OCGs; there may be hierarchies between them. These can involve groups of different nationalities

This is less common - more likely in cases of CSE or domestic servitude

Depending on the size and level of organisation within the OCG, offenders may have specific roles. Some members of the OCG may be based abroad, others in the UK. Some functions (e.g. drivers, landlords) may be carried out by individuals outside of the OCG, who may or may not be aware of exploitation occurring

Recruitment

Organise travel

Landlord

Drivers

Enforcers

Victim escort

Brothel managers

Money

ALPHA VICTIMS

The alpha victim is complicit in the exploitation of others - their conditions may improve despite remaining a victim themselves

Offenders force or groom victims to carry out other tasks, such as recruitment or violence, towards other victims

ALPHA VICTIMS

Victim is recruited and exploited for the purpose of Modern Slavery

Relationship is built between offenders and victims, e.g. this may be based on dependence

Offenders have increased trust in victim and allowing them more responsibility

OFFENDER RATIONALE

Offenders may use the below to explain allegations of Modern Slavery

Cultural differences

Access to job opportunities and better wages

Underage marriage

Domestic help

Providing accommodation and opportunities to victims

GENDER

Offenders may be male or female. Males are more likely to offend with other males, or with females. It is less likely that females will offend solely with other females

Female offenders, particularly within sexual exploitation, can be mistaken for victims, and may seek to prevent victims coming forward. Male offenders may pretend to be the boyfriends of victims

Female offenders can be involved in managing the business's money

MONEY

Offenders can generate money from slavery and trafficking in many ways

Victims can be sold, increasing the offender's profits

Wages are held or taken from victims. Benefits, loans and bank accounts are taken out in the victims' name

Offenders may spend proceeds in the UK or in their home country on property, cars or jewellery, and on property or businesses to facilitate further criminal enterprise

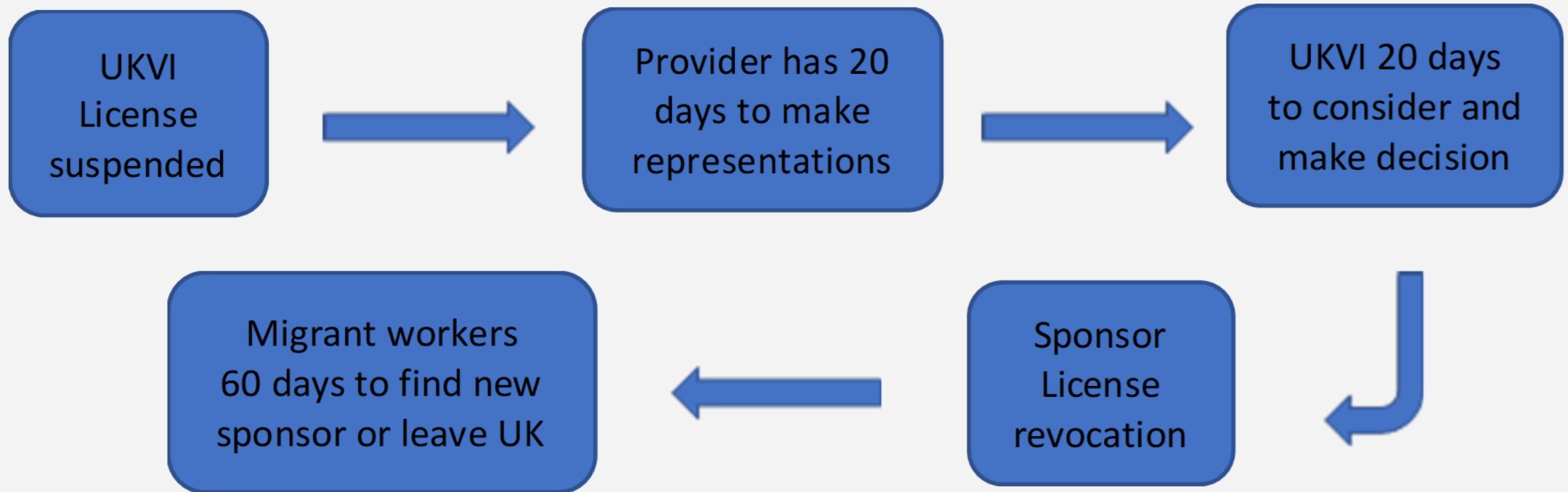
Offenders charge victims for everyday items, depleting their wages or increasing debt bondage, e.g. transport to the UK, finding work, charging for visas, transport to work, food, rent, using the toilet, and cigarettes

Money laundering will occur

Home Office UKVI Sponsor License

Home Office, UK Visa and Immigration re: suspended and revoked immigration sponsor licenses for health and social care providers. [UK visa sponsorship for employers: Overview - GOV.UK \(www.gov.uk\)](#) Predominantly but not limited to Domiciliary Care Agencies.

UKVI process:



Unethical international Recruitment

Potential indicators of exploitation...

- debt bondage – payment for visa
- providing staff to a third party
- salary underpayments
- insufficient hours work – excessive hours
- no job/work
- movement of staff between locations or businesses
- unlawful terms and conditions of employment
- unable to speak up – fear of reprisals
- tided shared accommodation
- unable to leave the employment
- **The visa is often weaponised to aid controlling and coercive behaviours**

Skills for Care toolkit on recruitment practices

- Skills for Care - the new hiring toolkit which supports care providers with safer recruitment practices ([Sharing effective references and conduct information](#) guide for providers).
- This toolkit provides guidance and supports CQC-registered providers to meet Regulation 19 requirements to employ 'fit and proper' staff, gather satisfactory evidence of conduct in previous employment and make safer recruitment decisions.

The image shows a screenshot of a digital toolkit titled "Sharing Effective References and Conduct Information: A Better Hiring Toolkit". The page is divided into several sections:

- Navigation Menu:** Introduction, Why we need to get it right (selected), Legal responsibilities, How to gather references and conduct information, What to do with information received, How to share references and conduct information, FAQs, Useful contacts.
- Section 2: Why we need to get it right**
 - PRISIM model of safer employment:** A framework that encompasses a '360' approach to safeguarding. It supports employers to embed a safeguarding mindset at every stage of the employment journey - from planning recruitment through to managing leavers. It also supports employers to move beyond compliance, encouraging organisations to be 'surious' about their own organisational culture and their approach to sharing effective references and conduct information in order to fulfil their responsibilities to keep everyone safe.
 - Application forms checklist:** A checklist to help employers ensure their application forms are robust and effective. It includes a "How to use the checklist" section with instructions to REVIEW, REFLECT, and SHARE.

At the bottom of the page, there is a logo for "Sharing Effective References and Conduct Information: A Better Hiring Toolkit" and a page number "13".

How to make a referral Modern slavery referral

**If someone is at immediate risk of harm call the
Police on 999**

How you can report modern slavery as a member of the public:

- Call the modern slavery helpline on 0800 0121 700
- [Report it online](#) managed by Unseen UK
- Use the Unseen UK App



How to make a referral to Home Office

UK Visas and Immigration (UKVI)

[Contact: UK Visas and Immigration \(UKVI\)](#)

Report an immigration crime

[Contact: Report an immigration crime](#)

Immigration Enforcement hotline

0300 123 7000

How to make a referral to Gangmasters & Labour Abuse Authority

You can get in touch with the GLAA using one of the following methods:

- **By telephone: 0800 432 0804**
FREE from a UK landline on. Leave a voicemail and someone will call you within a few hours. Please leave clear details and a contact number. Call back will come from “no caller ID”.
- **By email: intelligence@gla.gov.uk**

When reporting, please include:

1. How you know about the information,
2. What has happened for you to get in touch with us
3. What makes you concerned that the worker is being forced into work
4. When the incident happened or when you witnessed it
5. Who else knows about this incident or if it's only you
6. Who is involved in this incident –include as much information as possible, including names, addresses, workplaces, birthdates, telephone numbers etc. Information about the labour provider, company or individual using the labour provider's workers are especially useful as this can help us identify the individuals or companies concerned.
7. GLAA license numbers (if applicable), full names and addresses are particularly helpful, but other details such as contact telephone numbers, email addresses, vehicle registrations/details or person descriptions will help.

QUESTIONS