



# Gangmasters & Labour Abuse Authority

## Draft Minutes

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| <b>Title of meeting</b> | <b>Worker/NGO Liaison Group</b> |                  |                               |
| <b>Date</b>             | 9 August 2017                   | <b>Time</b>      | 11:30                         |
| <b>Venue</b>            | Home Office                     |                  |                               |
| <b>Chair</b>            | Margaret Beels                  | <b>Secretary</b> | Margaret Beels/Paul Broadbent |

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| <b>Attendees</b> | <p>Margaret Beels – Chair GLAA (MB)<br/> Paul Broadbent, CEO GLAA (PB)<br/> Matthew Creagh TUC (MC)<br/> David Dickens Fishermen’s Mission (DD)<br/> Barbara Drozdowicz East European Advice Centre (BD)<br/> Caroline Robinson, FLEX (CR)<br/> Avril Sharp, Kalayaan. (AS)<br/> Nahir de la Silva, Latin American Women’s Rights (NS)<br/> Jerry Swain, UCATT(JS)<br/> Narmada Thiranagama, Unison (NT)</p> |
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| <b>Apologies</b> | <p>Justin Bowden, GMB<br/> Linda Dickens, GLAA Board Member (Chair)<br/> Lucila Granda, Latin American Women’s Rights<br/> Yvonne Hall, Palm Cove Society<br/> Bridget Henderson, Unite<br/> Andrew Wallis, Unseen UK<br/> David Carrigan, Citizens Advice<br/> David Gill, USDAW</p> |
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| <b>1.</b> | <p><b>Welcome and Introductions</b></p> <p>Margaret Beels welcomed attendees from the Worker/NGO Liaison Group. Attendees introduced themselves.</p> |
| <b>2.</b> | <p><b>Apologies</b></p> <p>Noted as above.</p>   |
| <b>3.</b> | <p><b>Minutes of the previous meeting</b></p> <p>Minutes of the 9 May meeting were agreed with minor amendments to list of attendees.</p>            |

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| 4. | <p><b>Outstanding Actions</b></p> <ul style="list-style-type: none"> <li>a. AW to circulate modern slavery helpline statistics once available. These are on the Unseen.org website. <b>Action</b> Circulated on 24 June and re-circulated 9 August <b>Closed</b></li> <li>b. PF to place the link on the GLAA website to the video on worker exploitation in the construction industry. <b>Closed</b></li> <li>c. With regards to the Communications and Engagement Strategy, PB to consider sharing of information more widely. <b>Open/Action: PB and Comms Team</b></li> <li>d. JR to arrange a Joint LU/LP and Worker/NGO liaison group meeting for March 2018. <b>Open</b></li> <li>e. PB to circulate the national model information to members re the Threat, Risk, Harm matrix. <b>Closed</b></li> <li>f. JR to include the Terms of Reference on the August agenda. <b>Closed</b></li> <li>g. CR to provide a contact for Kalayaan <b>Closed</b></li> <li>h. LF to contact NT regarding a presentation to the care sector on the topic of indicators <b>Closed.</b></li> <li>i. Members to send any suggestions/agenda items for the next meeting to JR. <b>Closed</b></li> <li>j. MC to circulate invitation to members regarding the 'Living on the Edge' conference. <b>Closed</b></li> <li>k. Members to provide their availability to JR re the August meeting. <b>Closed</b></li> <li>l. JR to confirm August date to members. <b>Closed</b></li> </ul> |
| 5. | <p><b>CEO Quarterly Report and Performance &amp; Insight Report</b></p> <p>PB referred to follow up work from the NRM Pilot. Although the NRM mechanism offered 45 day protection, in reality most victims are there for much longer. Was this sustainable? What mechanisms were available to victims who did not want to go into NRM? A strategic action plan was being developed including effective debriefing of victims. DD spoke of the importance of the sensitive use of the NRM questionnaire. It should allow the victim to respond in their own language. There needs to be a hot debrief of victims preferably involving their first point of contact who was likely to be trusted by the victim. BD spoke about victims of slavery who had become rough sleepers. Even European workers might have reservations about going to the police because of the risk of being subject to administrative removal by virtue of their homelessness.</p> <p><b>Action – PB to look into administrative removals as regards possible modern slavery victims.</b></p> <p>CR asked about the training of individuals involved in the de-briefing of victims. DD referred to the approach taken by Police Scotland as an example of good practice.</p> <p><b>Action – PB to invite Tony Eastaugh, Director of Crime and Enforcement at Immigration Enforcement to the next meeting of the group.</b></p>   |

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| <p>5.</p> | <p>AS referred to a recent contact she had received from the Criminal Financial Investigation team following a welfare check on a domestic worker as part of Operation "Aident". The worker had been confused by the visit from CFI.</p> <p><b>Action – PB to look into the background and contact AS.</b></p> <p>PB spoke about the GLAA's activities now it had its new powers. He confirmed that GLAA will shortly be announcing its first use of the Labour Market Undertakings/Orders powers. These had given greater teeth when investigating labour exploitation outwith the GLAA regulated sector.</p> <p>Sectors such as construction, textiles were of concern also car washes on sites such as disused petrol forecourts. Food remains a high risk sector and would remain a GLAA priority. Getting intelligence remains critically important. DD spoke about the increasing use of agency labour with the risk of those using agency labour dodging employer obligations. PB spoke of the benefit the GLAA had gained through the inward secondment of a Romanian labour inspector to the GLAA for 6 months. Preventing workers being misled into coming to the UK was a priority. He hoped there might be opportunities to build on this model with other countries. DD asked whether intel suggested that criminality in one area such as tax avoidance or breaching HSE legislation was an indicator for labour exploitation. PB said that the situation was different as between those setting out with criminal intent and those whose business models went sour. DD referred to an approach being taken in NZ where, by following the money made from modern day slavery, banks were involved in cutting of finances to choke off the activity. PB referred to work being done by Prof Kevin Bales at Nottingham about the extent of Modern Day slavery in the UK. It was due to be published in September.</p> <p>PB said that the GLAA would have to demonstrate value for money in its use of the £2m additional funding if this was to continue. Asked whether police forces were stepping back now that GLAA had extra powers, PB referred to a report from HMIC to be published shortly.</p> <p>PB said that the performance pack was being revised and invited members of the group to let GLAA know of changes they would like to see. The new pack was likely to adopt a dashboard approach with supporting narrative.</p> <p><b>Action – Members of group to send views on possible changes to the GLAA performance pack</b></p> |
| <p>6.</p> | <p><b>DLME Strategy</b></p> <p>PB said that the GLAA had a very effective relationship with DLME. DLME would be using high level data from JSTAC (Joint Slavery and Trafficking Analysis centre) to inform his strategy. The Director had issued a letter on 30 June flagging areas on which he wanted views. There were three areas specific to GLAA: how should GLAA use its extended remit, should the scope of licensing be extended and what other measures might be brought in to sanction non-compliant sectors. DLME had now issued a formal consultation seeking responses by 13 October. GLAA would be sending in its views. One topic raised by DLME was to limit the length of supply chains. However JS suggested that unscrupulous employers would always find their way around through other mechanisms. CR suggested that it might be useful to GLAA to refresh the independent research that had been done in [2009] as regards the impact of the GLAA – including international comparisons.</p> <p><b>Action – PB to consider the possibility of commissioning independent research into the effectiveness of the GLAA</b></p>  |

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| 7. | <p><b>Review of GLAA licensing standards</b></p> <p>PB said that GLAA was looking at what progress might be made without having to undertake formal rewording of the standards and changes to legislation.</p>   |
| 8. | <p><b>Worker Exploitation - Current Data and Trends</b></p> <p>DD had hoped for more progress as regards investigation of modern slavery within the fishing industry but was able to report some investigations in Northern Ireland and Scotland. The focus seemed to be on trafficking. There was evidence of Filipino workers being replaced by Indian and Sri Lankan workers. Increased physical injuries being experienced by migrant workers on boats was a concern. Debt bondage of fishing crews was an emerging pattern. The forthcoming consultation on the Work in Fishing Convention was of key importance. It was important to give the convention teeth.</p> <p><b>Action – DD to send link to group members to enable them to respond to the consultation</b></p> <p>JS spoke about the impact of competitive tendering on pay for workers who ended up squeezed by the process. Migrant workers were often attracted by headline pay rates not realising the deductions that would be made including often for (substandard) accommodation, in some cases including hot bedding. There was increasing use of agencies within the construction industry. His view was that legitimate agencies in every sector would welcome licensing. A particular concern was low skilled logistics workers. Workers were aware that if they complained there was an endless supply of replacement workers prepared to accept work for which their pay rates were unlawful.</p> <p>BD spoke of her concern about hot bedding amongst eastern European exploited workers. She felt joint action was needed to address homeless workers, especially in London. Their data suggested that low skill female workers were twice as likely to be exploited as men. Finally she suggested that those trying to disguise exploitation within supply chains were using franchising models.</p> |

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| 8. | <p>CR spoke about female labour exploitation in the care, cleaning and domestic work sectors.</p> <p>Those on zero hours contracts found their hours reduced if they became pregnant. She too noted the sense that vulnerable workers had of being expendable and highlighted construction, bakeries and fishing as vulnerable areas. Bakeries were using agency labour to bypass workers gaining union protection. She was concerned that Brexit would increase worker vulnerability and referred to increases in hate crime and to &gt;700% increase in the demand for advice services by workers.</p> <p>AS referred to the independent review by James Ewins QC commissioned by HMG in 2015 in relation to overseas domestic workers. The government response in March 2016 had undertaken to implement the recommendations in the review. One option being looked at was a registration scheme for employers bringing over domestic workers. Kalayaan were discussing this with the Migration Policy Unit at HO. AS referred to the good work being sponsored by the Shiva foundation to try to enhance standards amongst hotel workers in London in particular educating other hotel workers – and to some extent guests as regards awareness of possible abuse. She felt greater use could be made of Home Office data to map where the 19,000 overseas domestic workers were located to help find ways of informing workers of their rights. There appeared to be technical difficulties with the way the data was held. HO were updating their systems. This might provide an opportunity to improve the accessibility of the information.</p> <p><b>Action - PB said there might be ways that GLAA might assist with the access to such data.</b></p> <p>MC spoke of the TUC's survey of insecure work. One theme had been shift workers experiencing short notification of shift patterns, variable hours being offered and in these circumstances workers being punished for not doing shifts. These issues seemed prevalent in hospitality (restaurants and bars) and in logistics (warehousing). Workers were unaware of their rights to get holiday and sick pay and were being short changed. There was a concern about the lack of enforcement of NMW.</p> <p>PB commented that the GLAA characterised failure to pay NMW, or holiday pay or sick pay as "Wage theft".</p> <p>MC said that TUC had noted the recommendation in the Matthew Taylor report, which they supported, to abolish the "Swedish Derogation" as regards agency workers. He said that TUC had a scheduled meeting with Sir David Metcalf on 25 September. He anticipated that the discussion would pick up issues highlighted in Sir David's LME strategy paper including Licensing, Joint and Several Liability and Resources for Enforcement activity in relation to labour exploitation. Lack of resources for EASI had been featured in the paper. BD noted that she had been told by EASI that they did not cover cleaning in their remit.</p> <p><b>Action - PB agreed to follow this up as regards whether this was a limitation in the statute or a question of resourcing.</b></p> <p>NT commented that Unison was finding that labour abuse practices which had been "sub-text" were now becoming mainstream. An area of concern to them was home care for example where workers were not being properly paid for overnight duties. The government had at first indicated they would clamp down but seemed to have backed off faced with the prospect that tough action might bankrupt some charities who had adopted particular pricing models when bidding for local authority work.</p> <p>NT reported the successful conclusion of Unison's campaign to have employment tribunal fees abolished. This was thought also to have held back a government plan to increase immigration tribunal fees by 500%.</p> |
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| 8.  | <p>NS said that zero hours contracts were a particular concern to their clients – often involving agencies and within the hospitality sector. Workers were experiencing mental health, physical and sexual abuse issues but workers were reluctant to come forward because they feared issues with their immigration status.</p> <p><b>(b) Ascertaining Workers' Experience</b></p> <p>MB asked whether the group could suggest means of collecting in a more systematic way workers' experience. This would be helpful as part of forming GLAA strategy and making the case for funding. DD expressed significant doubts. Workers in the fishing sector would not complete survey forms. Similar reservations were expressed by other members of the group. Even independent academic research was unlikely to get a true picture of the front line experience. There was no substitute for having front line staff who could gather data for themselves as had been demonstrated in 2008 when additional community funding had been available to the GLA.</p> <p>DD referred to the audit work being done by Human Rights at Sea.</p> |
| 9.  | <p><b>Review of Group</b></p> <p><b>(a) Terms of Reference / (b) Reflections on Group and future Developments</b></p> <p>MB said that as there was shortage of time for a proper discussion, she would welcome group members providing written comments on whether the Terms of Reference of the group should be updated in the light of experience. A specific issue was whether the venue of the meetings should alternate as between London and Nottingham to facilitate wider GLAA participation.</p> <p><b>New Action - Group members to provide written comments to Jane Riley on (a) Terms of Reference and (b) Reflections on Group and future Developments</b></p>   |
| 10. | <p><b>Labour Provider/Labour User liaison Group</b></p> <p>Noted</p>  |
| 11. | <p><b>Any Other Business</b></p> <p>CR asked whether there was any need to review the membership of the group. MB said that the fact that some members of the group had not attended recent meetings was not limiting the scope for new members to attend. It was noted that attendance by all members would be welcome.</p>  |
| 12. | <p><b>Date of Next Meeting</b></p> <p>The next meeting would take place at 11.30am on Wed 1 November at 2 Marsham Street.</p>   |