

Modern slavery in the care sector – how employers can manage risks

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The care sector is in the midst of a staffing crisis which is causing many employers to rely heavily on recruitment agencies to supply them with temporary labour. However, this has made the sector a target for organised crime gangs who seek to profit from the exploitation of workers.

Regulating the sector is difficult due to the number of small and family-run care homes and recruitment agencies, most of which have an annual turnover of less than £36m. Due to their turnover these organisations fall outside the scope of the Modern Slavery Act 2015, which requires organisations to publish a modern slavery statement confirming the steps they have taken to ensure modern slavery is not taking place in its business or its supply chain.

The lack of regulation in this area provides an opportunity for gangs who present as seemingly legitimate agencies to engage in modern slavery practices such as debt bondage, where workers pay a recruitment fee to the agency to come to the UK and then to work to pay off the debt. As a result of the increased prevalence of modern slavery practices in the health and care organisations, the Gangmaster and Labour Abuse Authority (GLAA) is taking steps to crack down on the abuse of workers in the sector including looking at more than 300 pieces of intelligence and investigating 17 cases at present.

What steps can employers take to minimise risks?

Given the potential for exploitation in the care sector and the potential for civil and criminal penalties for engaging illegal workers, employers should consider adopting the following measures:

- Conduct Right to Work checks even where labour is being supplied through an agency to satisfy yourself that the individual being applied has the right to work in the UK.
- Adopt provisions similar to those set out in the Modern Slavery Act 2015 including:
 - A policy in relation to slavery and human trafficking,
 - Due diligence on your supply chain to highlight the risk of any potential exploitive practises
 - Conduct a risk assessment and management
 - Set key performance indicators to measure effectiveness of steps being taken
- Train all staff to spot the signs that a person is the victim of labour exploitation (see guidance produced by the charity Justice and Care)
- Promote awareness of modern slavey around the workplace by displaying posters and information so that such practices come to the attention of any potential victims who may not realise they are being exploited.
- Report any concerns to either the Gangmaster and Labour Abuse Authority, or the Unseen helpline on 08000 121 700.

If you're a care sector employer and would like to discuss this topic further, then please do get in touch.

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