



Specialists in Roofing  
and Waterproofing

# Modern Slavery & Labour Exploitation

## Modern Slavery

Modern slavery is a brutal form of organised crime in which people are treated as commodities and exploited for criminal gain. The International Labour Organisation (ILO) estimates that 21 million men, women and children are working in conditions of modern slavery-including trafficked persons. The vast majority of these people are in the supply chains of legitimate industries

### Modern Slavery Act

- Consolidates and clarifies the existing offences of slavery and human trafficking whilst increasing the maximum penalty for such offences,
- Provides two new civil preventative orders,
- Introduces new enforcement powers in relation to ships,
- Establishes an office of Independent Anti-Slavery Commissioner,
- Introduces measures focused on supporting and protecting victims,
- Requires certain businesses to disclose activities they are undertaking to eliminate slavery and trafficking from their supply chains and their own businesses,
- Requires the Secretary of State to publish a paper on role of Gangmasters Licensing Authority.

Commercial Organisations with a global group turnover of £36m per annum are required by the Modern Slavery Act 2015, to prepare a slavery and human trafficking statement per financial year. The purpose of the statement is to set out what an organisation has done to prevent modern slavery in their own business and supply chain. It is not a statement confirming there is no modern slavery anywhere in the business or supply chain.

Clear organisational policies demonstrate an organisation's commitment to this issue and ensure that appropriate and coordinated action is taken throughout the business. Clear policies should include a provision that all employees in the organisation and the organisation's supply chain know how, and are resourced to prevent or identify exploitation. They should provide information about the first steps when modern slavery is identified and broadly how and with whom to contact.

### Labour Exploitation

Subcontractors and suppliers should also:

- Afford their employees the freedom to choose to work for them. Employees should be free to leave their employer after reasonable notice is served. Suppliers should not use forced,

bonded or non-voluntary prison labour;

- Demonstrate a commitment to equality of opportunity for individuals and groups enabling them to live their lives free from discrimination and oppression;
- Offer working hours to their staff which are compliant with national laws or industry standards;
- Under no circumstances abuse or intimidate employees and have appropriate disciplinary, grievance and appeal procedures in place;
- Work within the laws of their country;
- Take appropriate measures to ensure the health and safety of their workforce and the wider public;
- Offer wages and benefits that at the very least meet relevant industry benchmarks or national legal standards.

While it may be unlikely large companies are directly employing trafficked people, contractors and sub-contractors (or the agencies supplying labour) could find themselves targeted by unscrupulous gangmasters who may be offering a ready supply of labour at knocked down rates.

### Assessing and Managing Risk

Risk assessment policies and procedures should be proportionate to the organisation's size, structure, location of activities and supply chain(s), and nature of business. Identifying relevant information from internal and external sources will help businesses to undertake effective risk assessments and appropriate review of those risks.

Organisations should then decide how identified risks can be investigated, and where issues are found, how they can best be remediated or mitigated through activities such as industry collaboration or improved purchasing practices internally. Training the Board, the organisation's leadership, and employees to develop the skills and knowledge to understand and support risk prevention and remediation can greatly assist.

### Offences under the Modern Slavery Act

Slavery and human trafficking are criminal offences; it is essential that businesses understand the offences and do not commit a breach. It is critical to understand the many implications this Act has on your business.

These offences are applicable to all people and all businesses regardless if your company is required to produce a Slavery & Human Trafficking Statement. It is suggested businesses should review supply chain processes and contracts to ensure

they are eliminating the opportunity for these offences to be committed in their own business and or their supply chain.

## Maritime Enforcement

The Act provides additional powers for UK law enforcement to tackle suspected slavery and human trafficking at sea, for the purpose of preventing, detecting, investigating or prosecuting a human trafficking or slavery offence. The Act also sets out provisions where UK law enforcement can pursue ships in foreign waters.

If your business or supply chain uses ships as part of its supply chain then the considerations set out in this section of the Act must be fully understood and taken into consideration through operating processes and contracts, i.e. who takes the risk of goods being held up as part of an investigation

## Immigration Act 2015 Considerations

When considering the Modern Slavery Act it is worth incorporating the relevant aspects of the Immigration Act 2015. Immigration and visa requirements play an increasing part in the recruitment process. Those dealing with recruitment must have a good knowledge of immigration law so they can assess how realistic it is to employ migrants.

Employers have a duty to prevent illegal working and must be familiar with their obligations. Failure to identify migrants who require UK immigration permission or failure to undertake the prescribed document checks can result in criminal and civil penalties of imprisonment and fines. The maximum fine is £20,000 for each illegal worker.

## Protection of Victims

The Act provides a defence for slavery or trafficking victims, which is intended to encourage victims to come forward and give evidence without fear of being convicted for offences they may have committed in connection with their slavery or trafficking. A person is not guilty of that offence if they commit the offence because they were compelled to do so as a result of slavery or relevant exploitation. The Act also sets up support processes for victims.

Radmat Suppliers and subcontractors should set up appropriate processes for employees to report suspected offences under the Act, including how they will provide support to the employee(s). Contracts of employment and HR policies should be reviewed to ensure compliance and best practice for employees.

## Protect Radmat Building Products by following some straightforward checks:

All employers involved in the construction industry should make proper background checks on the agencies who supply them with labour, including where the agency is operating in a supervisory role. The Association of Labour Providers and the Recruitment and Employment Confederation are the two main recruitment industry associations, and working with the Gangmasters Licensing Authority to tackle slavery.

**Contracts of employment:** Check that all staff, including agency workers, have a written contract of employment and that they have not had to pay any direct or indirect fees to obtain work.

**Right to work:** Make sure staff are legally able to work in the UK. Does the recruitment agency provide assurance that the appropriate checks have been made on the person they are supplying?

**Wages:** Make sure the wages you pay go to the workers. Avoid cash in hand and cheque arrangements. Be aware that workers may be forced into debt and have bank accounts controlled by exploiters.

**Shared occupancy:** Check the names and addresses of those working for you. If you have a number of people listing the same address it may indicate high shared occupancy, often a factor for those being exploited.

**Statutory rights:** Make sure your workers know their statutory rights including sick pay, holiday pay and any other benefits they may be entitled to.

**Assess quotes and fees:** Use indicative pricing statistics to assess quotations and fees from agencies offering or charging suspiciously low rates

**Signs to spot potential victims:** Legal documents: Is the person in possession of their legal documents (passport, identification and their own bank account details) or are these being held by someone else? Victims will often be forced to use false or forged identity documents.

**Pay:** Are there a group of workers who have their wages paid into the same bank account? This may be sign of an illegal gangmaster collecting all their wages. Are they having wages taken off them for accommodation, food or to repay supposed debt?

**Transport:** Are a group of workers dropped off or picked up at unusual times of the day, are they all taken to the same property?

**Appearance:** Does the person look malnourished, unkempt, or appear withdrawn? Are they suffering physical injuries? Do they have few personal possessions and often wear the same clothes? The What clothes they do wear may not be suitable for their work.

**Behaviour:** Is the person withdrawn or appears frightened, unable to answer questions directed at them or speak for themselves and/or an accompanying third party speaks for them? If they do speak, are they inconsistent in the information they provide, including basic facts such as the address where they live? Do they appear under the control/influence of others and rarely interact with colleagues?

**Medical care:** Does the person have old or serious untreated injuries? Have they delayed seeing a healthcare professional? Are they vague, reluctant or inconsistent in explaining how the injury occurred?

**Fear of authorities:** Is the person afraid of the authorities (police, immigration, the tax office)? Are they scared of removal or what might happen to their families?

**Debt bondage:** Does the victim perceive themselves to be in debt to someone else or in a situation of dependence?

#### **If you suspect someone of being trafficked**

If you have any suspicions about potential forced labour or any other hidden labour exploitation

- Call the 101 non-emergency number, or if the person is in immediate danger or is under 18 then call 999 as a matter of urgency.
- Contact Crimestoppers anonymously on 0800 555 111 or report it online.
- Contact the Salvation Army's 24-hour confidential referral helpline on 0300 3038151

#### **On behalf of Radmat Building Products Ltd**



**Robert Speroni**  
**Managing Director**  
**Reviewed: March 2022**