



Gangmasters
Licensing Authority

GLA55/14 GLAA International activity

21 September 2017

Board Paper Reference – GLA55/14- GLAA International Activity

1. Purpose of the Report

1.1 The purpose of this report is to provide an update to the Board on the GLAA’s international activity.

2. Recommendation

2.1 None – for information only.

3. Summary of Key Points

3.1 The GLAA has been actively engaged internationally since its inception and is cited as a model of good practice both operationally and through its involvement through EU projects.

3.2 It has been referred to in the following international reports:

EU Fundamental Rights Agency	<p>Severe labour exploitation: workers moving within or into the European Union (June 2015)</p> <p>The UK supporting report can be found here: https://www.nottingham.ac.uk/hrlc/newsholding/news-2015/uk-country-report-on-severe-labour-exploitation-now-available.aspx (August 2015)</p>
International Labour Organisation	<p>The Cost of coercion (May 2009)</p>
International Centre for Migration and policy Development	<p>Stepping Up the Fight against Trafficking for Labour Exploitation (2013)</p>
United Nations Office for Drugs and Crime	<p>The Role of Recruitment Fees and Abusive and Fraudulent Recruitment Practices of Recruitment Agencies in Trafficking in Persons (2015)</p>
EU Platform on undeclared work	<p>EU: National and Bilateral Agreements and Memoranda of Understanding to Tackle Undeclared Work (2017)</p>

3.3 The catalyst for the GLAA’s international activity stems primarily from the Home Office owned Modern Slavery Strategy (2015):

“4.7 ... The GLAA will continue to develop partnerships with labour inspectorates across Europe focused on the sharing of information as well as conducting joint operations to prevent exploitative practices from occurring.”

- 3.4 This is coupled with cross-border information exchange on operations and recognition that the contribution of GLAA to support projects run by international organisations, assists in raising upstream awareness thereby underpinning preventative initiatives in source countries.
- 3.5 The following paragraphs summarise recent activity but does not represent a complete record of all international activity since the commencement of operations in 2005.

EU Labour Inspectorates

- 3.6 The migrant workforce in the UK’s agricultural sector is predominantly provided by workers from the EU’s A8 and A2 accession states. Workers may be recruited by UK companies from their home country, through job fairs, but also by UK employment agencies sub-contracting recruitment to employment agencies in the EU country. In addition there is an increasing use of social media to recruit. Furthermore, over period since the commencement of operations, there has been an increase in EU employment agencies providing workers directly to end users, and marketing themselves to UK companies.
- 3.7 Section 5(3) of the Gangmasters (Licensing) Act 2004 requires any overseas company that supplies workers to the UK to hold a licence:
- “The provisions of this Act apply where a person acts as a Gangmaster, whether in the United Kingdom or elsewhere, in relation to work to which this Act applies.”
- 3.8 In addressing worker recruitment by overseas companies, and licence applications from the same, it is a recognised risk that there is unlikely to be any intelligence held by UK Government Departments on the level of compliance that overseas companies may provide.
- 3.9 It is therefore necessary to undertake checks with EU labour inspectorates to ascertain whether the overseas company is compliant with the labour law in that country, or whether there has been any sanctionable conduct, and if so what the outcome was.
- 3.10 The GLAA has successfully sought and obtained information from labour inspectorates in, for example, Poland, Lithuania, Bulgaria, Romania, Hungary, and Slovakia.
- 3.11 The liaison that the GLAA has built up was recognised in the Modern Slavery Strategy, setting the objective cited in paragraph 3.3. The relationships developed have enabled the engagement of Romanian labour inspectors on a specific operation in Kent, ultimately resulting in a 3 month secondment of a Romanian labour inspector to the GLAA. This example also enabled the GLAA to secure support for two Bulgarian labour inspectors to be attached to the GLAA during a Europe wide week of action focused on forced labour.

3.12 Since 2016 GLAA has had an MOU with the Republic of Ireland's Workplace Rights Commission, and commenced work on a similar document with the Romanian and Lithuanian Labour Inspectorates.

Europol

3.12 In the development of activity to support the Modern Slavery Strategy it was identified that the objectives aligned to the Europol operational action plan on g.

3.13 The strand of the operational action plan focusing on labour exploitation is led by the UK with a "co-driver" provided by the Dutch. The GLAA and their Dutch counterpart – Inspectorate SZW (which also has powers to investigate forced labour) were asked to develop a workshop for police and labour inspectorate counterparts to prepare for a joint action week in 2016.

3.14 The GLAA advanced the learning outcomes of a recent Kent operation with other law enforcement bodies as a model for cross-border cooperation, and the joint action week led to a number of cross-border actions (rather than just parallel action). This has been repeated in 2017.

3.15 In support of closer cross-border activity GLAA has also developed the first EU labour inspectorate directory.

EU Platform on undeclared work

3.16 Following a decision of the European Parliament agreement was reached to create a "platform on undeclared work."¹ The UK's lead on this project is HMRC. However, the GLAA has supported the work programme, and was the UK's representative on the workshop on developing cross-border agreements, and cooperation. The result of this workshop is the development of a toolkit which references a number of GLAA agreements as examples of good practice.

3.17 A key objective of the platform is to develop joint activity and training visits. In support of this EU funding was made available. The GLAA proposed the secondment of Bulgarian labour inspectors (see paragraph 3.11) to the UK, and for this to occur in Europol's planned action week. This was agreed and fully funded by the EU.

International Labour Organisation (ILO)

3.18 The ILO cites the GLAA as a model of good practice combining a civil licensing compliance and criminal enforcement regime. The GLAA is a keynote speaker in their annual Forced Labour training course, and also their fair recruitment initiative and training.

3.19 In 2017 the GLAA and the ILO signed a letter of intent to work closely together.

¹ Further information on the work programme of the platform on undeclared work can be found here: <http://ec.europa.eu/social/main.jsp?catId=1299&intPageId=4882&langId=en>

3.20 The GLAA and ILO are currently in discussions over the development of a future ILO course bringing together elements of the fair recruitment and forced labour strands.

International Office of Migration (IOM)

3.21 The GLAA has been involved in support of the IOM's International Recruitment Integrity Project (IRIS) expert group meetings since 2014, where, along with a regulator from Alberta Canada, it is providing the regulatory perspective on how industry codes of practice can assist driving up compliance. This input also includes the GLAA's experience of where such codes and industry best practice may be weak, if they do not cover identification of forced labour, or have teeth to deal with non-compliance. The GLAA's input is therefore designed to consider how regulatory action can effectively interface with any voluntary codes.

Office for Security and Cooperation in Europe (OSCE)

3.22 The OSCE are currently involved in a capacity building project on transparency in public procurement and supply chains. The GLAA's experience in engaging with the UK agricultural supply chain, which it is now applying to the apparel and construction sectors, has led to their involvement in supporting the project workshops, within and outside the EU.

3.23 The GLAA has also supported other country specific capacity workshops aimed at providing examples of effective models of investigations, use of powers, and prevention, alongside colleagues from Belgium and the Netherlands.

International Centre for Migration Policy Development (ICMPD)

3.24 ICMPD was instrumental in supporting the GLAA's Vienna conference for labour inspectors (financially supported by the FC), and is engaged in capacity building in other countries. Currently they are training the Jordanian Government's police and labour inspectorates, and the GLAA will be a module within that training.

Australia

3.25 There are currently legislative changes being proposed or implemented at the Federal and State levels in Australia, both of which have led to input from the GLAA.

3.26 The Victorian State Inquiry into labour hire companies was the first of several State reports. It followed an investigation into exploitation on the Covino Farm, following which the Victorian State Employment Minister stated there was a potential need for an organisation like the (then) GLA. Proactive contact was made with the Minister's office, which led to a request to contribute to their inquiry and facilitate a visit to the UK by the Chair of the Commission established. The conclusions of that review are now being implemented which include the creation of a licensing system broadly based on the GLAA.

3.27 Australia is currently considering whether to create a Modern Slavery Act. A delegation of MPs from the select committee considering this proposal visited the UK, to which the GLAA presented how it operated, and its new role.

Santa Marta

- 3.28 Following initiatives by the Catholic Bishops' Conference for England and Wales (CBCEW), the Santa Marta Group was developed by the CBCEW and first met in Rome during April 2014 when police chiefs and Catholic bishops came to together, in the presence of Pope Francis, to sign an historic declaration, committing them to a partnership to eliminate human trafficking. Named after the home of Pope Francis, in which the members stayed, the Group now has members in over 30 countries.
- 3.29 Through a series of conferences, the Bishops' Conference has brought together the heads of national and international police and law enforcement agencies including UK Gangmasters and Labour Abuse Authority, National Crime Agency, Interpol, Europol, US Homeland Security, the Argentine Federal Police, Ghanaian, Indian, Thai, Australian, Irish and many European Police Forces to look at how they can work with the Church to help victims.

Middle East

- 3.30 Following previous engagement with the GLAA CEO, the GLAA received a request from Immigration Enforcement International - Dubai, Oman and Yemen to support their work with the Dubai Judicial Institute. The GLAA developed and delivered training as part of their Diploma in Investigating Human Trafficking programme. Delegates represented a number of law enforcement and civil society organisations from across the Emirates.

Belarus

- 3.31 The GLAA received an invite through the Office of the Independent Anti-Slavery Commissioner to represent the UK and deliver training in relation to investigating human trafficking on behalf of the United Nations Development Programme at The Academy of the Ministry of Internal Affairs of the Republic of Belarus. This was delivered to delegates representing law enforcement agencies across Eastern Europe.

FCO

- 3.32 A 2017 meeting of the Anti-Slavery Commissioner, CEO of GLAA and the British Ambassador to France has resulted in a forthcoming Prime Ministerial Visit with a number of EU heads of states to ensure, post Brexit, workers are not at an increased risk of modern slavery.
- 3.33 Following the Paris meeting, a similarly supported meeting was organised by FCO Rome, following the introduction of new labour market enforcement legislation in Italy. The conference compared the UK and Italian approach, with identified parallels between the powers of the GLAA and the Special Command unit of the Carabinieri.

Home Office project with Lithuania and Poland

- 3.34 The 2017 Warsaw meeting, which brought together Polish, Lithuanian, and Belarusian agencies together with UK officials taking part in exercises to enable capacity building in relation to human trafficking and slavery. The exercises allowed

stakeholders to develop an understanding of the social, organisational, cultural and political contexts in which decisions around human trafficking cases are made, enabling stakeholders to identify barriers and challenges to ensure good outcomes of joint investigations on modern slavery.

The meeting had the following objectives:

- To enable UK, Polish and Lithuanian law enforcement officers and prosecutors to share lessons on what works (and what does not) in investigating, prosecuting and otherwise disrupting the activity of slave-drivers and traffickers of human beings.
- To help officers to identify opportunities to work together more effectively, especially by sharing intelligence and carrying out joint investigations.
- To demonstrate whether this kind of event is a useful way of helping all of us to bring more slave-drivers to justice.

3.35 The GLAA contributed to this conference to provide its experience of assisting Polish and Lithuanian workers exploited in the UK, illustrating examples of how cross-border cooperation could assist effective policing of exploitation (also supporting the objectives of Europol planning meeting, which occurred in parallel to this meeting).

4. Financial Implications and Budget Provision

4.1 Limited impact. Most overseas attendance is financially supported by the hosts/international organisations.

5. Organisational Risks

5.1 Extractions from UK duties are limited, but also support initiatives by the Independent Anti-Slavery Commissioner and the FCO. There are operational benefits to the activities undertaken; building liaison which is effectively utilised on enquires involving overseas companies.

6. Policy Implications and Links to Strategic Priorities

6.1 The GLAA is seen as a model of good practice internationally. The development of contacts supports investigation and licensing decisions, reducing risks that a licence may be granted to an exploitative company. Work undertaken to support capacity training initiatives assists in delivering the UK's ambition to be a world leader against modern slavery.

6.2 The final shape of Brexit and its impact on worker rights to work, and stay in the UK, may impact on the nature and scale of worker exploitation investigated by the GLAA under its wider remit. However, the need for cross-border cooperation in GLAA investigations is unlikely to diminish.

7. Details of Consultation/EQIA

7.1 None

8. Background Papers and Relevant Published Documents

8.1 See table in paragraph 3.2.

Report Author: D Dixon

Senior Responsible Officer: P Broadbent