



# Tackling Exploitation in the Labour Market

**TUC Response to BIS/Home Office consultation**



## About the TUC

1.1 The TUC has 52 trade unions representing more than 5.5 million people who work in a wide variety of sectors and occupations. For the TUC and our affiliates the protection of vulnerable workers is a key priority. In recent years, we have campaigned for improved employment rights for agency and zero hour contract workers and for more effective enforcement of basic rights like the National Minimum Wage. We were also part of the coalition of organisations which called for the establishment of the Gangmasters Licensing Authority following the Morecambe Bay tragedy in 2004.

## Key points

2.1 The TUC welcomes the priority that is being given to the need to tackle labour exploitation. We support improved intelligence sharing and closer working across the enforcement agencies and we welcome new powers to investigate and prosecute the worst cases of exploitation. However, the consultation paper raises a number of concerns which we outline below before answering the questions.

### **Strong and consistent enforcement of rights is needed across the economy**

2.2 The proposals are based on an assertion that there has been “a significant shift in the nature of non-compliance with labour market regulation over time”. It states that the vast majority of businesses are compliant or that non-compliance is the result of “unintentional error” and that among a small number of businesses there has been “a shift from individual abuses of employment regulation towards increasingly organised criminal activity amounting to labour market exploitation”. The proposals for tackling labour exploitation are therefore concentrated on prosecuting these extreme cases of exploitation and organised criminal activity. The BIS Secretary of State in his foreword says the consultation also “offers an opportunity to reduce the burden that enforcing regulations can place on responsible businesses”. The TUC disputes the view that there is now widespread compliance with employment rights and that the regulatory burden should be lightened for most businesses. We believe that in order to effectively tackle exploitation there must be concerted action to prevent and respond to all breaches of employment rights. Allowing “low level” or “accidental” breaches to routinely happen undermines standards of decent work and encourages an environment in which exploitation can thrive. A recent report from the Home Office’s Migration Advisory Committee identified the general lack of enforcement action as a key factor leading to exploitation of low skilled migrant workers. It concluded: “The flexible labour market should be buttressed by *thorough and sustained enforcement* of minimum labour standards.”<sup>i</sup> All workers must have access to the minimum floor of protection that Parliament has determined is appropriate in the UK and bad employers must not be able to undercut the majority by relying on illegal employment practices.

2.3 Non-compliance with employment rights has other far reaching consequences. For instance, the endemic rates of non-payment of the NMW in the care sector pushes care workers into poverty and contributes to high staff turnover rates (30 per cent in homecare) but it also has a detrimental impact on care standards. Not paying for travel time in the homecare sector, even though it is working time, encourages the practice of ‘call clipping’ whereby homecare workers leave their visits early in order to cut down

on the amount of time they have to spend working for free. Poorer levels of care in the social care system inevitably lead to more pressure and cost being placed upon the NHS.

2.4 The government must also recognise the role of unionisation and access to justice for individuals in ensuring standards of decent work. As the MAC report recognised, the decline in collective bargaining coverage in recent decades “makes enforcement of labour regulation much more problematic”. Extending the scope and coverage of bargaining at sector level could play a major role in addressing the problems of exploitation and undercutting.

2.5 The introduction of employment tribunal fees has significantly reduced the likelihood of employers facing individual enforcement action. Since the introduction of fees in 2013 there has been a 70 per cent drop in tribunal claims. The Government should recognise the importance of removing these fees to effective enforcement.

### **Licensing must be maintained and extended to new sectors**

2.6 When considering the future of the GLA’s statutory licensing scheme, the proposals in the consultation paper focus on ensuring a regime that is “not overly burdensome” and that is targeted only at the very highest risk sectors. The TUC is concerned that the aim is to dilute the licensing standards, reduce inspections or remove sectors from the scheme.

2.7 Licensing has raised labour standards and has been instrumental in preventing and uncovering cases of exploitation in the farming and food processing sectors where it currently operates. As well as improving conditions for vulnerable workers and protecting them from abuse, the licensing scheme has helped ensure a level playing field for responsible businesses. It is strongly supported by licence holders<sup>ii</sup> and by retailers and food manufacturers. In the absence of licensing, companies would have to fall back on voluntary activities to ensure compliance in their supply chains. However, activities like voluntary auditing and codes of conduct have been shown to be not very effective in identifying exploitation.<sup>iii</sup> This is because the auditors lack the investigatory powers and do not have access to the same intelligence as the statutory enforcement agencies. Voluntary audits may also increase burdens on suppliers who would become subject to multiple audits from different companies.

2.8 The TUC seeks assurance that the proposed reform of the enforcement framework will not result in a weakening of the GLA’s licensing scheme. Application inspections must be maintained, licensing standards must not be diluted and none of the sectors that it currently applies to should be removed from the scheme. We believe there is a strong case for extending the GLA’s remit so that new sectors such as social care, construction and hospitality come within the licensing scheme. There are high proportions of workers in these sectors who are vulnerable to exploitation because of their employment or migrant worker status and there is evidence of exploitative working practices being routinely used. The inspections and routine monitoring of standards that licensing entails would help prevent exploitation, improve intelligence-gathering and ensure that criminal prosecutions were targeted at the worst cases.

## **A substantial increase in enforcement resources must be provided**

2.9 The proposals in the consultation paper depend critically on the necessary resources being available. The current activities of the existing enforcement agencies are already stretched and there is no indication in the consultation paper of additional funding being made available for the new enforcement framework and activities. The TUC fears that if additional funding is not made available then resources will be diverted from existing compliance and enforcement work.

2.10 The GLA currently regulates sectors that are worth £100 billion on a budget of £4 million (0.004 per cent of the value). It has 67 frontline staff which is 25 per cent less than in 2010/11.<sup>iv</sup> The government proposes to expand the GLA's remit to tackling labour exploitation across the whole economy. Its staff will have new powers and a new offence of aggravated labour law breach to investigate and prosecute. The HMRC estimates that a single prosecution of a criminal offence under the NMW Act costs at least £50,000. The GLA estimates that over the last five years in the farming and food processing sectors alone, it has revoked 119 licences all of which could have been considered for prosecution under the new offence.<sup>v</sup>

2.11 The consultation paper talks of the resources of the Employment Standards Agency Inspectorate's being doubled in 2014/15 and increased again for 2015/16, bringing the number of inspectors to 9. However, at the start of 2011/12 there were 15 inspectors in post.<sup>vi</sup> Cuts were then imposed by the coalition government which have only been partially reversed.

2.12 The HMRC's NMW enforcement team has had a recent increase in resources and it currently has a budget of around £12m. But this still fails to match the scale of the task. The TUC estimates underpayment of the NMW affects in the region of at least 250,000 workers. The consultation paper says that by 2020 an additional 2.75 million workers will come within the scope of the NLW which the team will be responsible for enforcing. The enforcement task for this new rate will also be further complicated by the NLW's creation of a new age-related minimum wage rate for 21-24 year olds.

2.13 The paper says that the new Director of Labour Market Enforcement will set the budgets for each of the enforcement agencies "within the total envelope of available funding". If no or only limited new funding is made available, the Director will be forced to reallocate existing resources away from existing work, including application and compliance inspections in GLA licensed sectors, ensuring decent treatment of agency workers, and tackling high volume non-compliance with the NMW, towards investigating and prosecuting labour exploitation and organised criminal activity.

2.14 The TUC wants assurance that the funding for current compliance and enforcement activities will be at least maintained and additional funding will be provided for any expansion of the GLA to match the scale of the new Authority's remit and activities. Additional resources must also be found for the establishment of the new Director and the proposed shared intelligence hub that will support them.

### **Focus must be on tackling labour exploitation not immigration**

2.15 Labour exploitation will not be effectively addressed if it is closely linked to immigration enforcement. As the consultation paper recognises migrant workers are particularly vulnerable to exploitation. Employers can take advantage of migrant workers' limited English, their lack of awareness of employment rights, their immigration status, and the fact that visas and basic requirements like housing are often tied to their employment with them. Even those who have the right to work in the UK are often fearful of coming forward to report exploitation to state enforcement agencies. For undocumented migrant workers the fear of speaking out is especially acute and this can present significant barriers to enforcement agencies' ability to gather intelligence and uncover exploitation.

2.16 The TUC is concerned that measures to tackle labour exploitation are being introduced in an Immigration Bill and they are being introduced alongside a new criminal offence of illegal working which criminalises undocumented workers and classifies the wages they have earned as proceeds of crime. Introducing these measures alongside measures to tackle labour exploitation is counterproductive. It gives rogue employers even more power over undocumented workers by creating new threats of what may happen to them if they speak out. Giving employers a stronger hand increases the incentive to use undocumented workers to undercut the pay and conditions of other workers and makes all workers worse off as a result. In addition, Home Office involvement in overseeing the enforcement framework creates a risk that it will become focused on immigration issues rather than compliance with labour law. It must be remembered that all workers are entitled to employment rights regardless of their immigration status. A Home Office factsheet explaining the changes states that "The Director and the enforcement bodies will work closely with immigration enforcement wherever labour market breaches are linked to illegal immigrants or people working in breach of their visa conditions."<sup>vii</sup> This goes against the ILO recommendation that co-operation between enforcement agencies and immigration authorities "should be carried out cautiously, bearing in mind that the main objective of the labour inspection systems is to protect the rights and interests of all workers and to improve their working conditions."<sup>viii</sup>

### **The new Director must have a duty to consult with stakeholders**

2.17 The new Director of Labour Market Enforcement will have considerable influence over the priorities of the enforcement agencies, the methods they use and their budgets. The TUC believes that the new Director needs to work closely with trade unions and other external stakeholders if they are going to be effective in understanding the nature of non-compliance and exploitation across the labour market and the most effective means of tackling it. Trade unions play a key role in rooting out and protecting workers from exploitation. There must be a statutory duty on the Director to consult with the TUC and CBI and other stakeholders. In particular, Clause 2 of the Immigration Bill should be amended to require consultation when developing the annual enforcement strategy.<sup>ix</sup> This would ensure that formal mechanisms for engaging with stakeholders are put in place.

## Consultation questions

### **Q1: Do you agree that more needs to be done to tackle organised labour market exploitation?**

3.1 Yes. A range of interventions are needed to tackle labour exploitation. Allowing continual breaches of employment rights creates the conditions in which more extreme forms of abuse can flourish. The already stretched resources of the existing enforcement agencies should not be redirected away from their current work of ensuring the NMW is paid, agency workers are treated fairly and vulnerable workers are protected in GLA licensed sectors. New activities investigating and prosecuting labour exploitation linked to organised crime need additional resources.

### **Q2: Do you agree with the following statement? “Establishing a new Director for Labour Market Enforcement to set the strategic direction of the enforcement bodies will be effective in tackling worker exploitation”?**

3.2 The TUC supports closer co-operation and co-ordination across the enforcement agencies in tackling worker exploitation but whether or not the new Director of Labour Market Enforcement results in more effective action depends upon a number of factors and, critically, the funding that is going to be available. Given the lack of wider information around the implications of this proposal for existing budgets and the relationship between employment rights enforcement and immigration enforcement, as well as the lack of clarity on the independence of the role, the TUC is not currently able to take a position on whether this development will be beneficial.

3.3 The TUC has a number of concerns about the role as it is described in the consultation paper. The Director will be responsible for creating a single set of priorities for the enforcement bodies, determining their approaches to enforcement and allocating resources. We are concerned that this may result in the work of the enforcement agencies being narrowed to a small range of issues rather than enabling them to undertake activities that fully reflect their different remits, powers and expertise.

3.4 The Director will report to the BIS Secretary of State and the Home Secretary. Both Ministers will need to approve the annual strategy for enforcement that the Director develops before it is laid before Parliament. The TUC is concerned that reporting to the Home Office could skew enforcement activity towards dealing with issues linked to immigration and organised criminal gangs rather than the whole range of interventions that are needed to ensure decent labour standards across the labour market.

3.5 The Director is described as “a key figure for Ministers”, advising them on a day-to-day basis, responding to high profile events and being the person “who connects the political perspective with the intelligence picture and translates it into enforcement action”. This suggests the role could become politicised with the post-holder potentially being led by short-term political pressures or high profile media stories linked to exploitation and immigration. The TUC believes the Director needs to be independent and focused on the evidence of non-compliance across the labour market. To be effective, they must work closely with staff from the enforcement agencies and regularly

engage with relevant stakeholders, including employers, labour providers, trade unions and NGOs.

**Q3: What other factors should we consider in developing the new Director role?**

3.6 The TUC believes that there should be a statutory duty requiring the Director to consult with relevant stakeholders when developing the annual enforcement strategy.

**Q4: Do you agree that a new offence of aggravated labour law breach is needed to tackle labour exploitation of workers?**

3.7 Yes. The TUC welcomes action to tackle systematic breaches of labour law but we do not believe that the creation of a single offence will tackle the diverse forms of exploitation in the labour market and a more multifaceted approach is needed. In addition, we believe the offence suggested in the consultation paper will not be effective because it is based on the motivation of the offender which is often hard to establish in practice. We believe it would be better to create an offence based on repeated or multiple breaches of labour law or breaches accompanied by behaviour indicating exploitation such as withholding passports or ID, debt bondage, threatening a worker with violence, or insisting they use tied housing.

3.8 There have only been ten prosecutions of the criminal offences in s.31 of the National Minimum Wage Act,<sup>x</sup> which indicates how criminal prosecutions are often harder to pursue in practice than in theory. The cost of prosecutions may also deter them in practice. A criminal prosecution of an NMW offence costs at least £50,000 whereas a standard investigation of non-compliance with the NMW costs an average £1,850.<sup>xi</sup>

3.9 The government needs to ensure that there are a range of powers for tackling breaches of labour law. The enforcement agencies should be able to issue civil penalties, reimbursement orders and improvement notices, depending on the circumstances of the case, rather than relying solely on criminal prosecutions. HMRC's civil penalty regime and the recent improvements that have been made to it have worked well in getting prompt and effective compliance with the NMW in many cases.

3.10 There should also be the power to disqualify company directors who are repeat or serious offenders. Company directors should be automatically and permanently disqualified from operating companies where there is evidence they wound up one company and established a phoenix company to avoid employment and tax obligations. The government should also change the law to permit employees to go behind the corporate veil and to bring employment tribunal or court claims against new phoenix companies.

3.11 In discussing the new offence and possible penalties on offenders, there is no mention of the victims. It is vital that alongside any criminal prosecutions action is taken to ensure that workers receive any pay that is owed to them and that they receive the necessary compensation and support to move on from the exploitation that they have experienced. For example, the GLA has engaged with service providers to support victims of exploitation alongside its enforcement action. This has included working with retailers to find new jobs for workers who have lost work as a result of a licence being

revoked. However, the GLA has not had the power to recover pay for the workers and it should be given this power.

**Q5: Which of the options described would be most effective in tackling labour market exploitation?**

- A) Create an offence involving a motivation to deprive a worker of their rights**
- B) Create a new type of improvement notice**
- C) Both A) and B)**
- D) None of the options.**

3.12 The TUC believes that an offence which is based upon establishing an employer's motivation will be difficult to prosecute in practice and is not appropriate in the context of employment law.

3.13 An improvement notice has the benefit that it could be used by any of the three enforcement agencies to address a breach of employment law before it escalates or before there is sufficient evidence to prove an aggravated breach in court. It would also set out specific remedial steps that need to be taken by the business within a specified time.

**Q6: What are the benefits of creating an offence involving motivation to deprive a worker of their rights?**

3.14 We do not see any benefits in creating an offence involving motivation.

**Q7: What are the benefits of creating an offence involving motivation to exploit a worker or exploiting a worker in connection with such an offence?**

3.15 We do not see any benefits in creating an offence involving motivation.

**Q8: What are the benefits of creating a new type of improvement notice to tackle exploitation of workers?**

3.16 Action could be taken more promptly to deal with breaches and before matters escalated to an aggravated labour law breach that could be prosecuted in court. By setting out the specific steps that need to be taken to address the problem is it also likely to secure change within the workplace. For example, Additional Licensing Conditions (ALCs) have assisted in driving up standards in GLA licensed sectors by making clear to operators what was needed to become compliant. ALCs have also avoided the need to withdraw licences and to prevent companies from operating while they took remedial action.

**Q9: Do you agree on the need for powers to share data and intelligence across the enforcement bodies and with other organisations?**

3.17 Yes. We recognise that there are already some good bilateral arrangements in place between the enforcement agencies but legal barriers remain which prevent agencies from sharing data and intelligence, especially from HMRC. The TUC called

for these barriers to be removed some time ago in the Commission on Vulnerable Employment and the Vulnerable Workers Enforcement Forum.

3.18 In moving to a new shared intelligence hub care needs to be taken to ensure that the existing intelligence gathering mechanisms of the enforcement agencies are not undermined.

3.19 The legislation should not permit employment enforcement bodies to share intelligence with immigration bodies. Creating open gateways to immigration authorities will actively deter vulnerable workers from raising complaints.

3.20 In terms of exchanging information and intelligence with non-government organisations like trade unions, businesses, labour providers and charities, the government must ensure that the enforcement agencies' existing channels of communication and engagement mechanisms are maintained and improved where necessary. The GLA Board and GLA liaison groups should be retained but we believe there should be trade union representation on the Board or provision for at least one Board member to have experience of representing working people. In addition, we have previously raised concerns that where unions or NGOs provide information to the enforcement agencies, no feedback is given on the progress or outcomes of their investigations. This deters people from sharing intelligence. We believe there should be a charter which ensures individuals and their representatives receive regular updates, similar to that used by the police for victims of crime. Finally, the new Director and staff working in the intelligence hub will also need to engage and build trust with stakeholders.

**Q10: Do you agree with the proposal to expand the role of the Authority or should we retain the current model?**

3.21 The TUC believes that the GLA's remit should be expanded to extend licensing to new sectors where large numbers of vulnerable workers are at risk of exploitation such as hospitality, social care and construction. The TUC is concerned that expanding the remit to cover tackling exploitation across the whole economy by introducing a new criminal offence of aggravated breach of labour law, with no additional resources, would threaten the current licensing model that has proved to be effective.

3.22 We therefore want assurance that the statutory licensing scheme will not be weakened as a result of expansion. Licensing standards must not be diluted, application inspections must continue, no sectors should be removed from the scheme and there must be no reduction in resources dedicated to licensing.

3.23 The GLA currently has a budget of just £4m (0.004% of the value of the sectors it regulates) and employs 67 frontline staff to carry out its licensing and enforcement activities. If the GLA's remit is widened there must be a substantial increase in its resources to match its new role and responsibilities.

3.24 Licensing has been the foundation of the GLA's success in gathering intelligence, preventing and identifying exploitation, and carrying out effective and targeted enforcement action. If the new Authority is not going to have licensing to underpin its enforcement work in new areas it will be heavily reliant on reports of exploitation from

members of the public and on intelligence from other enforcement bodies, trade unions, businesses and NGOs. It will therefore need to carry out significant outreach work and ensure strong engagement mechanisms to build trust.

**Q11: Do you agree that the mission of the new Authority should be to prevent, detect and investigate worker exploitation, in support of the Director's annual plan?**

3.25 No. The mission of the new Authority should not be to support the Director's annual plan. Instead, the aim of the Director's annual plan should be to support the new Authority to deliver its mission, and the Authority must operate with a degree of independence from Government.

3.26 There must be clear reference to ensuring compliance with minimum labour standards and the prevention of abuse in the mission to properly reflect GLA licensing activities.

**Q12: Should the new Authority work with business to provide training, and develop codes of conduct and voluntary accreditation schemes?**

3.27 We would welcome the new Authority working directly with business to improve compliance and raise labour standards. However, voluntary codes of conduct and accreditation schemes are not as effective as licensing. Licensing should be extended to those sectors where large numbers of vulnerable workers are at risk of exploitation. The TUC would not therefore support these proposals if they were introduced at the expense of the existing licensing regime, rather than in addition to it.

**Q13: Should the new Authority be able to charge for such services?**

3.28 Enforcement of legal standards are a public good and should be funded by the state. Charging for activities such as training may encourage the new Authority to pursue revenue which could distract from licensing and enforcement activities. It is also important to avoid regulatory capture.

**Q14: What other tasks might the new Authority perform?**

3.29 The TUC believes its primary tasks should be licensing, inspections and taking enforcement action (or referring cases to a more appropriate enforcement agency) that is proportionate to the breaches that are uncovered, deters future non-compliance and provides an effective remedy for the workers affected.

**Q15: Do you agree that the new Authority should be able to investigate labour market breaches and offences that fall under the remit of the new Director, including the new aggravated breach offence and Modern Slavery Act offences, as well as breaches of NMW/NLW and employment regulations, where they are connected with labour exploitation?**

3.30 Yes. However, the new Authority must work closely with other enforcement agencies to ensure that the most appropriate body is taking action. For example, where there are serious or repeated breaches of the NMW/NLW but no other indicators of labour exploitation then HMRC's NMW enforcement team should be the lead agency.

In most cases involving modern slavery offences, the National Crime Agency would be the most appropriate and effective body to lead the investigation.

**Q16: Do you agree that the new Authority should have the power to investigate these offences across all sectors of the labour market?**

3.31 Yes, the power should apply across all sectors. However, this will only work if properly resourced. There would need to be a substantial increase in resources to reflect the wider remit and new powers and to ensure the new Authority has the expertise relating to the whole labour market.

**Q17: Are the investigative powers proposed appropriate given the new Authority's functions?**

3.32 Yes. The investigative powers proposed are appropriate if the functions of the new Authority are going to be as outlined in the consultation paper and if the necessary resources are provided for them to be used effectively.

**Q18: Are there any additional powers the new Authority should have? Please describe and give your reasons.**

3.33 The new Authority should be given powers to issue civil penalties, reimbursement orders and improvement notices, depending on the circumstances of the case.

**Q19: Do you agree that the new Authority should be able to use Proceeds of Crime Act powers to recover criminal assets?**

3.34 Yes.

**Q20: What are the benefits of the new Authority having a formal power to ask for assistance from relevant organisations?**

3.35 It may improve co-operation with other enforcement bodies.

**Q21: Which organisations should this apply to?**

3.36 This power should apply to the police and NCA and not the immigration authorities if the primary focus is on tackling labour exploitation. The new Authority will need to build trust among vulnerable workers like migrant workers if it is going to gain intelligence and reports of exploitation.

**Q22: Should other enforcement organisations be given the 'right to ask' the new Authority to offer operational support?**

3.37 Yes, provided it is just a right to ask and the Authority has final say over how it uses its resources.

**Q23: Do you agree that current licensing criteria should be reformed?**

3.38 No. There should not be a shift towards more flexible criteria in which inspections only take place if a risk of exploitation is identified. GLA statistics show the importance of inspections at the point of application. Licences were refused in more cases where the available data from other government departments suggested a business was compliant than where a risk of non-compliance was identified. About one in five applicants for a

GLA licence who were identified as low risk had a licence refused following an inspection.<sup>xii</sup>

**Q24: What reforms do you think would improve the current licensing regime?**

3.39 Licensing should be extended to other sectors where there are large numbers of vulnerable workers at risk of exploitation such as social care, hospitality and construction.

**Q25: Do you agree that we should introduce a more flexible approach to licensing, based on a risk assessment, judged on a sector by sector basis and agreed by Ministers and Parliament?**

3.40 No. Licensing must be maintained in the sectors in which it currently operates. Licensing has played a major role in raising labour standards in those sectors and it needs to continue for those good levels of compliance to be sustained. Application inspections must be retained and they should be universal. Any move towards a pure risk-based approach would lead to the return of rogue operators in the sectors.

3.41 The consultation paper talks about the new Director developing a plan for preventing exploitation in sectors where the intelligence hub indicates a threat of exploitation “but the evidence does not support the use of licensing”. The TUC would welcome clear, evidence-based criteria for determining when licensing should be used.

**Q26: Are there any sectors that you would remove from the current licensing regime?**

3.42 No. Removing any of the current sectors from licensing would place vulnerable workers at risk of exploitation.

**Q27: Will the proposed governance arrangements enable the new Authority to achieve its mission under appropriate oversight?**

3.43 No. The proposed governance arrangements are complicated and may give rise to conflict and duplication. The Director will report to both the BIS Secretary of State and the Home Secretary, while the expanded new Authority created out of the GLA will remain accountable to the Home Secretary. It is unclear what the role of the chair and the board of the new Authority will be, given that the Director of Labour Market Enforcement will set the priorities, enforcement approach and budget on an annual basis and would have powers to report on issues and recommend in-year amendments to the strategy. The GLA board currently sets a multi-year strategy and it would be difficult for them to continue with this longer term approach if the Director has power to redirect their focus and resources on an annual or more short-term basis.

3.44 The TUC believes that there should be trade union representation on the board of the new Authority or at least someone who has experience of representing workers. It is also important for the Director to have direct engagement with stakeholders as the enforcement agencies do, so that their insights and views can be properly considered at the stage at which the overall strategy for enforcement is being developed.

- <sup>i</sup> Migration Advisory Committee, *Migrants in Low Skilled Work* (July 2014)
- <sup>ii</sup> The Association of Labour Providers' annual survey 2015 indicates that 93 per cent support licensing
- <sup>iii</sup> Allain et al, *Forced labour's business models and supply chains* (JRF, 2013)
- <sup>iv</sup> GLA Annual Report and Accounts 2010/11 and 2014/15  
[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/444757/50616\\_HC\\_273\\_GLA\\_Annual\\_Report\\_web.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/444757/50616_HC_273_GLA_Annual_Report_web.pdf)
- <sup>v</sup> GLA Contextual Briefing on the BIS/Home Office Consultation (October 2015)
- <sup>vi</sup> Employment Agency Standards (EAS) Inspectorate Annual Report 2011/12 (BIS, February 2013)
- <sup>vii</sup> Labour Market Enforcement Factsheet  
<https://www.gov.uk/government/publications/immigration-bill-part-1-labour-market-and-illegal-working>
- <sup>viii</sup> ILO, General Survey on Labour Inspection 2006
- <sup>ix</sup> For example, s.5 Equality Act 2006 places a similar duty on the Equality and Human Rights Commission when developing its strategic plan.
- <sup>x</sup> Via TUC's membership of the NMW Enforcement User Group.
- <sup>xi</sup> See p.34 of <http://www.trustforlondon.org.uk/wp-content/uploads/2013/12/SETTLE-FOR-NOTHING-LESS-1.pdf>
- <sup>xii</sup> <sup>xiii</sup> See Appendix 3 of <http://www.gla.gov.uk/PageFiles/923/Application%20and%20Inspections%20Consultation%2028%20January%202013.pdf>