



Rt Hon James Cleverly MP
Secretary of State for the Home Department
Home Office
2 Marsham Street
London
SW1P 4DF

Friday 9 February 2024

Dear Home Secretary,

Exploitation in the Health and Social Care Sector as a Race Issue

The UK BME Anti-Slavery Network (BASNET) promotes race equality, diversity and inclusion in the anti-trafficking and anti-slavery space. We are a collective of organisations working in Black and Ethnic communities dedicated to combating modern slavery and human trafficking in the United Kingdom. Our mission is to foster collaboration, advocacy, and research to eradicate these heinous crimes and ensure the protection and well-being of victims.

We are writing to bring to your attention a matter of grave concern for our members at BASNET and within the UK modern slavery sector. There is a growing body of evidence in the media, across the sector and reports from the work of our members at BASNET indicating the exploitation of workers in the health, domiciliary and care sectors, with a high number of cases involving individuals from outside the UK seeking to work under different government health and social care work visa schemes. Our members' experience indicates this exploitation manifests in various forms, including but not limited to financial theft and scams by known employment agents offering (fake or non-existent) Certificates of Sponsorships, low wages leading to debt bondage or lack of payment of wages, lack of job security, inadequate or inappropriate working conditions that breach UK regulations, racism and discriminatory practices and many other fraudulent behaviours.

BASNET and our members believe there is now an urgent need for the government to address this issue decisively. We are concerned that so far, despite calls by many other organisations and charities for action, there has been no policy response to strengthen protection for those coming to the UK to help fill gaps in the labour market, such as in the health and social care sector. Our initial intervention in this matter was in February 2022 via a joint round table meeting held with the former UK Anti-Slavery Commissioner, Sara Thornton. Current data from our members' work across the country show many of those affected are from countries like Nigeria, Ghana, Zambia, Zimbabwe, South Africa, Uganda, Kenya, India, Pakistan, Nepal, Philippines and so on. Therefore, we cannot ignore the racial element of this problem. We view this matter as a significant race-related issue that requires immediate government attention and comprehensive action.

Our view at BASNET is that in failing to act or in delaying action, the Home Office is at risk of breaching Section 149 of the Equality Act 2010 which conveys on it the duty to consider how its policies or decisions affect people who are protected under the Act. It is our view that the Home Secretary has a moral responsibility to protect and support those exposed to deceit, exploitation, harm and abuse under the government's work visa schemes due to the various loop-holes that make it easy to abuse the system.

Based on the work of our members, we have identified several key concerns linked to the exploitation of workers, which need to be addressed, including:

- **Fraud by Representation:** The primary issue at hand revolves around foreign nationals in the UK on skilled worker visas, who believe they are engaging in legitimate recruitment processes to migrate to the UK to help fill gaps in the labour market. Many of these individuals have left their home countries in good faith, often selling properties to invest in relocating to the UK. Unfortunately, due to a lack of proper vetting of agencies, some unscrupulous entities exploit these individuals through misrepresentation, scams and deceit. They accept payments for visas and certificates of sponsorship and then cease communication upon the person's arrival in the country. This leaves innocent people homeless, destitute, vulnerable, and stranded in a foreign country, with no recourse to public funds. We are of the opinion that failure to act in protecting these individuals constitutes race discrimination.
- **Lack of Vetting of Care Agencies:** We recognise the shortage of carers and support the idea of recruiting foreign nationals as a positive solution. However, there is a pressing need for better vetting of domiciliary and care agencies who offer sponsorship visas to potential workers. Inadequate vetting exposes migrant workers to different forms of exploitation and abuse, as sponsoring agencies wield significant power over the carers' stay in the country.
- **Revoking Care Agency Licences is Not Enough:** Revoking licences of offending agencies alone creates a hostile situation for migrant workers, stripping them of their livelihoods and skilled-worker visas without adequate support for their next steps. This punitive measure unfairly impacts migrant workers who relocated in good faith, leaving them very vulnerable to further exploitation, homelessness and destitution and causing more harm than good. Our members are left to carry the burden of support and assistance for their community members affected by these work visa scammers. We provide food banks, signposting to legal support, financial help in the absence of any government intervention. It is essential for the Home Secretary to consider more comprehensive solutions that address the root causes of the issue while providing comprehensive support and protection for affected individuals.

Based on these key concerns, our recommendations are as follows:

1. **Enhance Vetting Procedures for Recruitment Agencies:** We call on the Home Secretary to implement more rigorous guidelines, training and vetting processes for recruitment agencies facilitating or offering Certificates of Sponsorships. This can be achieved by establishing a comprehensive regulatory framework to monitor and hold accountable agencies engaging in fraudulent and exploitative practices. The government must ensure that agencies meet specified standards, and establish mechanisms for ongoing oversight and monitoring to prevent exploitation and abuse of migrant workers.

2. **Provide Pre-arrival Information and Support:** We call on the government to develop comprehensive information packages for individuals planning to relocate to the UK on skilled worker sponsored visas, outlining their rights, entitlements and legal procedures to follow. The government must establish robust support systems to guide migrants through the relocation process, including clear communication channels for addressing concerns or reporting fraudulent activities.
3. **Provide Support for Victims of Fraud:** The government must implement measures to hold accountable those responsible for fraudulent activities during the visa application process or those abusing the Certificate of Sponsorship programme. This includes developing a support system, including legal and counselling services, to help victims seek justice and compensation for the harm caused by unscrupulous agencies.
4. **Reform the Revocation Process for Care Agencies:** The government must consider additional measures to revoking sponsor agency licences, such as imposing stringent fines, probation periods, or mandatory corrective actions. This should also involve implementing a transitional support programme for affected migrant workers, ensuring they receive assistance to find alternative employment or obtain legal recourse.
5. **Promote Diversity and Inclusion:** The government must implement initiatives to foster diversity and inclusion within employer agencies, creating a welcoming environment for migrant workers. Additionally, the government must provide mandatory modern slavery and cultural sensitivity training for employers and their staff to enhance inclusivity in the workplace and identify potential exploitative practices.

It is imperative that the Home Secretary acknowledges and addresses the exploitation within the health and social care sector as a race issue, taking swift and decisive action to rectify the systemic inequalities faced by migrant and minority ethnic workers. The Home Secretary's attention and commitment to this matter are crucial in ensuring the well-being and dignity of those who have left their countries to assist the UK, contributing significantly to the health and social care sector. At BASNET, we are interested to collaborate with the Home Office to further discuss these issues and explore potential solutions.

We look forward to your prompt response and action on this pressing matter. Please do not hesitate to contact us if you have any questions or if we can provide further information.

This letter has been copied to other parties including: Independent Anti-Slavery Commissioner Eleanor Lyons; the Shadow Home Secretary Yvette Cooper, Shadow Health and Social Care Secretary Wes Streeting, Chair of Public Accounts Committee Dame Meg Hillier and Chair of Home Affairs Committee Dame Diana Johnson.

Yours sincerely,

DebbieAriyo

Debbie Ariyo OBE

Chair, UK BME Anti-Slavery Network (email: debbie@afruca.org)

List of Signatories

1. Yannick Nyah, Founding Volunteer, BME Volunteers CIC
2. Aderonke Apata, Lawyer, Founder & CEO African Rainbow Family.
3. Anne Abok, Vice President, Justice Initiative, MOZAIK.
4. Dr Sudhir Sethi, Chair, AFRUCA Safeguarding Children
5. Angela Karanja, Founder, Raising Remarkable Teenagers
6. Jennifer Nsubuga, BASNET Associate Member
7. Victoria Marks, Director, Anti Trafficking and Labour Exploitation Unit.
8. Carmen Clarke, BASNET Associate Member
9. Magdalene Adenaike, Founder/CEO Music Relief Foundation
10. Helen Ball, CEO, Causeway
11. Ruth Ogunji, Founder/CEO Blossom Foundation
12. Anandi Ramamurthy, Director - Charm Mental Health
13. Nicky Iginla, CEO, Caring and Sharing Rochdale,
14. Francis Niba, Director, Citizen Outreach Coalition
15. Angela Nduka, CEO, The Economic Forum For Women Empowerment Scotland
16. Folashade Alonge, CEO/ Founder - De Butterfly CIC
17. Dr Elizabeth Such, Anne McLaren Fellow, University of Nottingham, BASNET Associate Member
18. Omorose Ehondor, Founder/Director - Flourishing Vines CIC
19. Jide Macaulay, Founder, House of Rainbow and BASNET Advisory Board member
20. Ehinor Otaigbe-Amedu MBE, Founder- Wonderfully Made Woman
21. Alice Solomon, Founder, Reflecteen Hub
22. James Clarry, Chief Executive, Justice & Care
23. Ismael Lea South, Director, The Salam Project
24. Lola Adeola-Oni, Trustee, AFRUCA Safeguarding Children
25. Musa Amedu, Founder, Edo Diaspora UK CIC
26. Sylvia Kalungi, CEO and Project Lead, WODIN
27. Mireille Kasonga, CEO, Children Hope Forever
28. Omonor Gladys, Founder, In His Image CIC
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30. Okechukwu Gerald Albert, Director - K.I.N.G.S FOUNDATION
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32. Oluwayemisi Jenkins MBE, President, Association of British Nigerian Law Enforcement Officers - ABLE officers
33. Lade Olugbemi, Founder/CEO,– Nous Organisation CIO
34. Md Mominul Hamid, Founder, UoS Northumbria University,
35. Chioma Mgbeokwere, Founder/CEO, IBO Ladies in Diaspora Aid
36. Rose Ssali, Founder/CEO, Mama Health and Poverty Partnership
37. Karen Saville, Wellbeing Lead, Support And Action Women Network
38. Joseph Jeffers, Founder/CEO, Advice Support Knowledge Information
39. Rae Imasiku, Founder/CEO, MenTalk Ubuntu C.I.C
40. Justine K Odwongo, Founder, MBS for Mental Health and Wellbeing For BAME
41. Mama Sylla, Chair, La Fraternite
42. Professor Neena Samota, St Mary's University. BASNET Advisory Board member
43. Dr Erinma Bell, CEO, CARISMA Services
44. Denis Onyango, Director of Programmes, Africa Advocacy Foundation