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14 March 2024

Dear Ms Ariyo,

Thank you for your letter of 9 February 2024 to the Home Secretary concerning the growing exploitation of migrant workers in the health and social care sector. I am replying as the Minister of State for Legal Migration and the Border.

The Government is clear that everyone deserves to be treated fairly at work and rewarded for their contribution to the economy. With that said, we have got concerns about unethical employment practices, particularly for migrant workers employed within care occupations. The operational evidence suggests the abuses are across the spectrum of harm, from UK-based recruitment agency regulatory failure to the serious exploitative offences of debt bondage and modern slavery.

I want to be clear that UK sponsors are subject to stringent checks, ensuring they are a genuine business, are solvent, and that the roles they wish to recruit for are credible and meet the salary and skills requirements (if applicable) and it is for this reason that we publish a register of licensed sponsors. Being licensed by the Home Office ensures that workers are aware that their sponsor is held to high standards and has been vetted.

I can assure you that the Home Office has zero tolerance towards employers who seek to exploit workers they sponsor. However, while UK Visas and Immigration (UKVI) actively monitors sponsors' compliance with their duties, they are not a labour market regulator, and their powers to redress concerns are limited to revoking a sponsor's licence to sponsor workers. Furthermore, UKVI has no legal powers to police the recruitment chains used by sponsors and such recruitment often takes place outside of UK legal jurisdiction in any event. However, the Home Office does expect sponsors to recruit staff lawfully and, where engaging the services of a recruitment agent, sponsors should ensure that those agencies are not charging individual workers for finding them a job.

Labour mobility is an important part of the points-based system and sponsored workers are free to find alternative employment with a more suitable sponsor, provided they have valid permission to be in the UK and the new sponsor is willing and able to sponsor them. Where a sponsored worker ceases working for their sponsor, for any reason, they are liable to have their permission cancelled (curtailed) but, unless the worker was complicit in any wrongdoing, they will normally have at least 60 days to find alternative employment after curtailment.

The Department of Health and Social Care (DHSC) and the Home Office-funded Gangmasters and Labour Abuse Authority (GLAA) are responsible for policing organisations within the health and care sector in relation to their recruitment practices and treatment of workers. The GLAA are currently investigating a range of allegations about the adult care sector.

DHSC has published Codes of Practice for employers, as well as guidance for individuals applying for jobs in the sector from abroad, which provides advice on how to stay safe and avoid scams. These can be found at the following links:

- www.gov.uk/government/publications/code-of-practice-for-the-international-recruitment-of-health-and-social-care-personnel/code-of-practice-for-the-international-recruitment-of-health-and-social-care-personnel-in-england
- www.gov.uk/government/publications/applying-for-health-and-social-care-jobs-in-the-uk-from-abroad

DHSC works with Skills for Care and Partners in Care and Health to deliver webinars to adult social care providers and local authorities on ethical international recruitment and supporting overseas recruits. DHSC also continues to work with trade unions to ensure workers know their rights through guidance and support, and how DHSC can utilise their networks to communicate with international staff.

Enforcement bodies continue to work in partnership with non-governmental organisations, such as 'Unseen', through their modern slavery helpline, to ensure every possible reporting avenue is available for those who have concerns.

Home Office sponsor compliance teams also work in partnership with local authorities, the Care Quality Commission, the Association of Adult Social Care Directors and the voluntary sector to provide early notification of suspensions and revocations. Operationally, this has led to a large number of workers being found alternative employment if they have received fewer working hours, or were being sponsored by an organisation whose licence we have revoked.

All that said, should it be of interest, I have asked officials to meet with you to fully understand your concerns and to ensure that these points are reflected in ongoing work to effectively address the exploitation of migrant workers in the health and social care sector.

Once again, thank you for having taken the time to write.

Yours sincerely,

A handwritten signature in blue ink, appearing to read 'Tom Pursglove', is written over a light blue horizontal line.

Tom Pursglove MP
Minister of State for Legal Migration and the Border