

MODERN SLAVERY IN THE CONSTRUCTION SECTOR

INDUSTRY INFORMATION



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MODERN SLAVERY IN CONSTRUCTION¹



THE UK CONSTRUCTION SECTOR
EMPLOYED AN ESTIMATED
2.2 MILLION PEOPLE IN 2020 ²

280,000 WORKERS NATIONALLY
& **HALF** OF ALL LONDON BASED
CONSTRUCTION WORKERS WERE BORN
OUTSIDE OF THE UK ⁴

134% increase IN REPORTS
OF LABOUR EXPLOITATION IN 2022. LABOUR
EXPLOITATION WAS THE MOST COMMONLY
REPORTED EXPLOITATION TYPE. ⁶

698,000
SELF EMPLOYED CONSTRUCTION WORKERS IN
GREAT BRITAIN IN 2021 ³

141 cases OF POTENTIAL EXPLOITATION
IN CONSTRUCTION REPORTED TO THE MODERN
SLAVERY HELPLINE IN 2022, AN ANNUAL
Increase of 53% INVOLVING A
POTENTIAL **543 victims** ⁵

30% OF ALL VICTIM REFERRALS INTO THE
NATIONAL REFERRAL MECHANISM IN 2021,
RELATED TO LABOUR EXPLOITATION. ⁷

RISK FACTORS

The construction sector is one of the UK's largest and most important economic sectors and one which is vulnerable to the threat of modern slavery. Risks can exist through the infiltration of large or national projects, involving infrastructure and industrial construction, or through small-scale and public facing residential or casual construction projects. The Director of Labour Market Enforcement assesses the construction industry as high-risk in terms of non-compliance, with higher levels of labour exploitation and modern slavery. ⁸

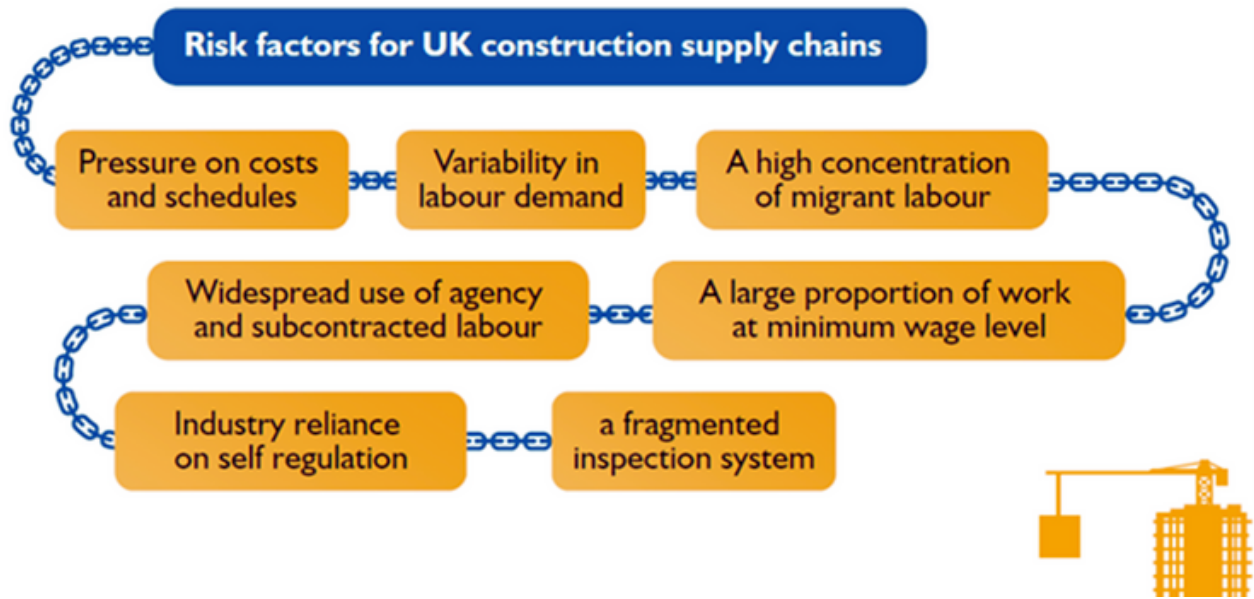
Modern slavery is often perpetrated by organised criminals and is the most extreme form of labour exploitation. Common commercial practices can create vulnerabilities in the workforce where

criminality can thrive, for example, through complex supply chains, lapses in security and vetting, critical worker shortages intensified by the Covid-19 pandemic and changing immigration rules. These all present challenges for the sector in its ethical management of labour, alongside the wide-scale use of sub-contracting, which obscures visibility within lower levels of the supply chains. The dynamic nature of construction projects can mean workers join and exit a project throughout its life-cycle, creating an environment where it is challenging to identify those workers who are most vulnerable. Large companies may not have contractual relationships with smaller businesses operating in the lower tiers, where the risk is highest, placing a reliance upon the lower tiers to identify modern slavery risk within their own operations and supply chains.

1 - This report was created using the reports of:

Independent Anti-Slavery Commissioner - Operation Cardinas and Beyond: Addressing exploitation risk in the construction sector'
CIOB 'Construction and the Modern Slavery Act: Tackling Exploitation in the UK'

2 & 3 - ONS Construction Statistics, Great Britain 2021, 4 - CITB 'Migration & UK Construction 2021', 5 & 6 - Modern Slavery & Exploitation Helpline, Annual Assessment 2022, 7 - Modern Slavery National Referral Mechanism and Duty to Notify statistics UK, end of year summary 2022 (5,135 potential victims), 8 - DLME (2021) United Kingdom Labour Market Enforcement Strategy 2022 - 2023.



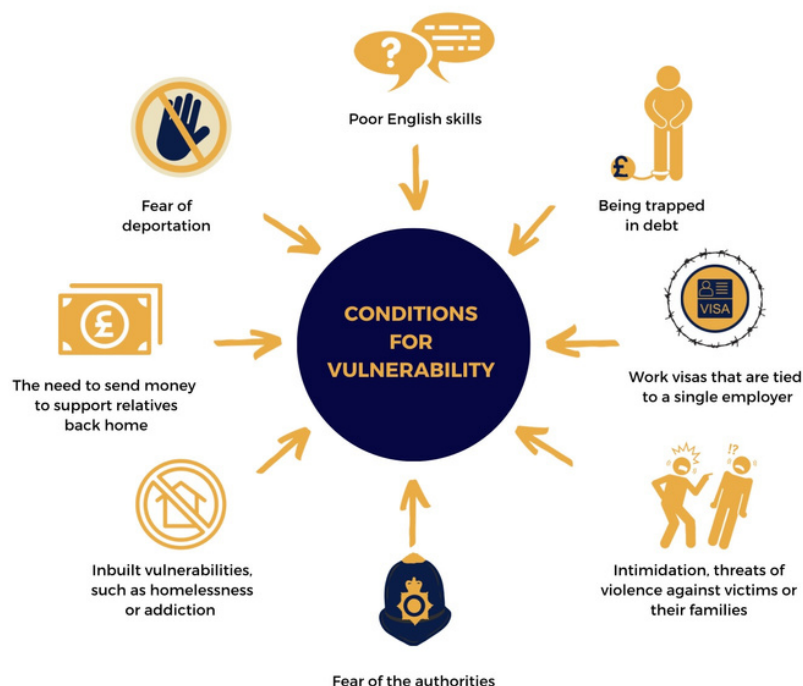
CIOB Construction & the Modern Slavery Act 2018

While modern slavery is at the extreme end of exploitation, workers, particularly those provided by agencies, can be vulnerable through a range of factors, such as the absence of proper contracts or terms and conditions. This can result in non-payment of minimum wage or holiday pay, unfair financial penalties and a general lack of employment protections. Environments of non-compliance can be enablers for more severe forms of labour abuse and exploitation.

'Concrete' - the story of Jani & Izak, victims of modern slavery



HOW DO PEOPLE BECOME VULNERABLE TO EXPLOITATION?



Based on CIOB Construction & the Modern Slavery Act 2018

CASE SUMMARY - OPERATION CARDINAS

“This case involved the degradation of fellow human beings. It involved the denial of their humanity and failure to recognise that these are human beings who feel pain and misery just like all of us. That disgusts me.”

— Judge Rajeev Shetty

The below is taken from the Independent Anti-Slavery Commissioner's report 'Operation Cardinas & Beyond: Addressing Exploitation Risk in the Construction Sector'. The full report can be found in the footnote below.

During 2019, following an extensive investigation by the Metropolitan Police, members of a Romanian criminal network were found guilty of modern slavery offences. The network had exploited up to 500 Romanian victims across almost a decade within the UK construction sector. Victims were placed into buildings and demolitions projects across London, the South East and surrounding counties. Projects ranged from small sites to prestigious major developments in the Capital.

Victims were recruited from poverty stricken areas of Romania on the promise of good work and decent wages in the UK, along with accommodation, transport and food. Instead, victims found themselves housed in filthy, vermin infested and overcrowded properties. Forced to scavenge mattresses dumped on the street, victims were rationed and charged for the use of washing facilities by their exploiters and fed out of date and even rancid meat. Many victims suffered frequent upset stomachs and developed scabies. Victims suffered deep levels of physical and psychological harm, akin to those suffered by sexual exploitation victims.



During the course of the exploitation, the offenders profited by an astonishing £2.4 million, while victims survived on as little as £18 a day and in some cases nothing at all, despite many hours of hard labour. The traffickers tied victims into a spiral of debt bondage, 'deducting' costs of travel to the UK and accommodation from their promised salaries and ensuring debt continued to be accumulated at excessive rates, whilst "bread-crumbling" promises of money to come. Victims who objected to their treatment, conditions or lack of pay were threatened or beaten. Despite the brutal environment, the majority did not attempt to escape, partly out of disempowerment and fear of reprisals, but also in the hope that they would eventually receive what they were owed. The gang used a variety of methods to exert control.



UNDERMINING WORKPLACE SECURITY

The network used a variety of fraudulent tactics to gain fake credentials and access to construction work. At least 33 companies, including contractors, agencies and umbrella form payroll providers had unwittingly been paying into accounts controlled by the criminal network, believing they were paying workers.

The traffickers often worked alongside victims on-site, acting as interpreter, to ensure victims did not draw attention to themselves. Victims were usually employed as unskilled labour, undertaking cleaning, fetching & carrying jobs and those roles which received less scrutiny than qualified tradespeople.

Fraudulently obtaining CSCS cards

CSCS cards provide proof that individuals have the appropriate training and qualifications for the work they do on construction sites. Crime gang members and their associates worked with a corrupt testing centre to obtain health and safety tests fraudulently. These fraudulently obtained tests were then used to apply for genuine CSCS cards. Sometimes they used the technique of 'ghosting', by getting someone else to sit an exam instead of the candidate. At other times a corrupt invigilator would answer the test questions themselves.

Recycled CSCS cards

Many victims were given other peoples CSCS cards, bearing photographs that did not resemble them. Despite this blatant security breach, they habitually gained access to sites.

Fake and doctored pass letters

At the time, there could be up to a 2 week wait for CSCS cards. In lieu of the card, some sites accepted a printout of the CSCS pass letter which showed the worker had passed the relevant health and safety tests to work on site. The crime group exploited this by doctoring or manufacturing fake pass letters, some of which were crude forgeries with clashing fonts and overlaid text. Despite such clear inconsistencies, foremen and security must have accepted them without question.

Nowadays, a CSCS card should only take up to 48hrs to process, when applying via the official CSCS website. CSCS would never support a health and safety pass letter being accepted as proof of competence without an accompanying qualification. A CSCS card, containing details of the holders training and qualifications, should be presented to the site management team to be electronically verified.

Using limited companies

Each of the defendants prosecuted in Operation Cardinas operated their own labour agency. As bosses of limited companies, they had a veneer of respectability.

Abuse of labour contracts

Construction labour contracts commonly carry a clause that if an individual is not able to attend on a certain day, they or their labour provider can send someone equally qualified in their place. The crime group used this system to its advantage, moving victims in and out of projects without raising suspicion.

Adding other bogus qualifications

At times, perpetrators added other minor qualifications to increase the hourly rate that victims could earn. In one sinister example, the crime gang obtained and doctored asbestos removal certificates. As a result, some victims were forced to work in high risk environments, exposed to toxic materials without the training or knowledge to protect themselves or others around them.

MISSED INDICATORS OF EXPLOITATION

The offenders in this case managed to operate undisturbed for many years and yet there were indicators that were likely to have been witnessed by different parties across projects and on-site including:

Victim Appearance



Due to living conditions many victims would have arrived to work in the same clothes, looking dishevelled and with poor personal hygiene.



Clothes & Kit

Some victims had been mocked on-site by co-workers about the inadequacy of their boots and their lack of personal protective equipment.

Site Inductions



The use of one individual to act as interpreter for a group of foreign workers, whilst not uncommon, can be an indicator of exploitation. During on-site inductions all paperwork for the victims was filled out by a trafficker.



Administration

Many names, addresses and contact numbers supplied during induction were identical across victims, which should have raised suspicion, but as information was stored on separate PDF documents it made it difficult to spot patterns or anomalies.

Security



Recycled CSCS cards bearing different images to those who held them were habitually accepted, indicating weaknesses in vetting and security across sites.



Informal Approaches

Direct approaches made by traffickers to foremen to try to bring workers onto site informally. Whilst some approaches may have been denied as potentially suspicious, information could have been shared more widely amongst local sites and contractors.

Financial Activity




Shared bank accounts used for different victims, none of which were identified by companies paying into these accounts.


THE ROLE OF INDUSTRY


Industry are key to tackling the threat of labour exploitation and providing visibility into areas which Law Enforcement cannot access. Conditions for temporary workers are less visible in the lower tiers of construction supply chains, with responsibility for checking labour practices often handed to sub-contractors. Organisations who are not rigorously vetted, or held to account, are at greater risk of being exposed to more severe forms of exploitation, or being able to take advantage of their workers themselves. Sub-contractors and lower tiers within the supply chain play a critical role in identifying vulnerability within their workforce and preventing labour exploitation by strengthening their own processes.


Some actions you could take to strengthen your processes might be:


 Insist that workers must be registered with an appropriate construction card scheme and ensure documentation and scheme cards are thoroughly checked before workers are permitted on site.


 Verify right to work documentation


 Empower workers to feel confident to speak out within your site, provide whistleblowing or complaint lines and publicise these. Recognise that language barriers may be apparent and ensure workers understand pathways available to seek help.


 Consider paying workers individually and directly into their bank accounts.

 Check that workers have been provided with contracts, written terms and conditions and robustly question agencies or sub-contractors when they have not.

 Enforcing a culture of compliance across your site will dissuade exploiters from seeking to infiltrate your operations.

 Provide staff with modern slavery training to enable them to spot the signs and clear guidance on how to report it. Help workers to understand their employment rights.

 If you are a labour agent, consider face-to-face meetings when recruiting new workers, rather than via video call and check original identity documents. This will make it easier to spot inconsistencies, understand the worker better and spot potential concerns.

 Ask challenging questions of workergangs and your labour providers to better understand their practices. Check that agencies and umbrella companies are not charging workers for employment and that workers are paid at least in line with with national minimum wage pay rates, if not project pay rates.



CHECKING CSCS & OTHER CARDS



CSCS cards list the holder's qualifications and in the majority of cases are valid for five years. The quickest and easiest way to check that a CSCS card is valid is to carry out an electronic card check. All CSCS cards are Smart, carrying a chip storing information about the cardholders identity, qualifications and training. Site managers can view this information using a smartphone, tablet or PC with the CSCS Smart Check app.

Further information can be found here.

If you are an employer you can also use CITBs Online Card Checker, to view individuals HS&E tests and some card scheme memberships.

Further information can be found here.

Alternatively, to check that a card is valid, you can call the CSCS Helpline on **0344 994 4777**.

What to do if you suspect someone is using a fraudulent CSCS card:

If counterfeit scheme cards are found during site access checks or are suspected of being either issued under false details or fraudulently produced, site managers should email report.it@citb.co.uk with the details, attaching images of the cards where available. CITB can check scheme databases and provide guidance and advice.

Site managers should also contact the police. Holders of fake or fraudulently obtained cards may be victims of modern slavery or may have no right to work in the UK.

What to do if you suspect a worker may be a victim of modern slavery or labour exploitation?

If you suspect a worker may be in imminent danger, you should always report concerns directly to the police via **999**.

Report concerns of labour exploitation, forced or compulsory labour to the Gangmasters & Labour Abuse Authority via their [online reporting form, here](#).

Alternatively, you can report your concerns via the **Modern Slavery & Exploitation Helpline** on **08000 121 700** or via their [online reporting form, here](#).

Reports are confidential and can be made anonymously if you prefer.



FURTHER RESOURCES

Gangmasters & Labour Abuse Authority

Construction resources page: Includes Modern Slavery Toolbox Talk, Modern Slavery Induction pack - with translations for use within induction training of workers and 'Are you alright?' Posters. [Further information can be found here.](#)

Workers Rights leaflets in multiple languages [click here](#)

Short films and posters explaining how to provide good quality information when reporting concerns and the correct reporting bodies you should use for a range of concerns relating to working standards or conditions. [click here](#)

Chartered Institute of Building (CIOB)

Modern Slavery Toolkit for Construction: developed in partnership with Stronger Together. Includes links to further reports on the threat of modern slavery in the construction sector and includes 'Concrete' - a short film telling the story of 2 victims of labour exploitation. [click here](#)

The CIOB Academy: providing professional development resources for the construction sector including courses in:

Tackling Modern Slavery in Construction
Labour Exploitation in Construction
Construction Ethics & Compliance
[click here](#)

Supply Chain Sustainability School

Free Learning Environment [click here](#)

Helping to upskill those working within, or aspiring to work within, the built environment sector. Modern slavery resources include:

A procurement guide [click here](#)

Guidance on right to work [click here](#)

Advice on how to set up a site to combat modern slavery [click here](#)

Spotting the signs film [click here](#)

SOS Hand Signal short film [click here](#)

'Where might modern slavery be hiding in your supply chains?' short film [click here](#)



Stop The Traffik

Guidance for Small to Medium Enterprises (SMEs) [click here](#)

Modern Slavery SME Toolkit: Stop The Traffik and Shiva Foundation have compiled a free toolkit to help SMEs develop appropriate precautions to prevent modern slavery from occurring in their business. The toolkit includes a practical risk assessment tool, advice on how to mitigate risks for direct employees and agency workers, relevant reporting mechanisms, supply chain risk management advice and a wealth of additional free resources. [click here](#)

Op Seascale - Metropolitan Police

A Metropolitan Police led awareness raising and intelligence development programme, introduced by the MPS Modern Slavery & Child Exploitation Team, aimed at increasing knowledge of modern slavery and human trafficking, organised immigration crime and serious organised crime exploitation within the private, public and not for profit sectors.

Accessible to businesses within the London locality only, the programme aims to equip staff, managers and volunteers of organisations vulnerable to these threats with the skills and confidence to know what to look for, what to report and who to.

Email CSCMailbox-OpSeascale@met.police.uk for further details.

Ethical Trade Initiative

Modern Slavery Statements Evaluation Framework: A structured guide to writing or improving Modern Slavery statements created by the Ethical Trade Initiative. The framework is a tool to assess the quality of published statements, identifying strengths and weaknesses and providing a best practice standard to measure statements against.

[click here](#)

Social Responsibility Alliance

The Slavery & Trafficking Risk Template (STRT): a free, open source industry standard template created to be used by businesses to assist their efforts to comply with human trafficking and modern slavery legislation and improve their supply chain related public disclosures. The template helps companies and their suppliers to work together to build socially responsible supply chains by facilitating accurate data collection. [click here](#)

With thanks to the following organisations:
Office of the Independent Anti-Slavery Commissioner
Gangmasters & Labour Abuse Authority
Metropolitan Police
The Construction Industry Training Board
Chartered Institute of Building
Supply Chain Sustainability School
Stop The Traffik
Ethical Trade Initiative
Social Responsibility Alliance

