

Understanding the Potential of Licensing Frameworks and Teams to Tackle Modern Slavery in the UK



FOUNDATION

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Foreword

Local councils have a broad ranging responsibility to identify and support people affected by modern slavery and to prevent this problem that traps and exploits people in many areas of life and economy.

Through effective collaboration with external agencies, training programs for staff and other actions, they play a key role in the prevention and eradication of this pernicious issue.

To identify and refer people trapped in exploitative situations, local councils are expected to liaise with the police, the National Referral Mechanism (NRM), and other relevant agencies. To support people affected by modern slavery, councils are expected to provide a range of services including safe and secure housing, financial assistance and access to counselling and healthcare.

They are also encouraged to provide training to staff on how to recognise and respond to signs of modern slavery. For example, social workers might observe signs of exploitation and abuse while carrying out their duties, while procurement officers need to identify and mitigate the risk of modern slavery in their supply chains.

We are proposing that we use the existing frameworks and the multiple licensing and enforcement teams across the country, to incorporate preventative modern slavery practices into existing policies and activities. We have already seen excellent and effective work with licensing teams to reduce anti-social behaviour and alcohol-fuelled crime in the nighttime economy; and this good practice has started to expand work to prevent modern slavery by initiatives led by the Independent Anti-Slavery Commissioner, Local Government Association and similar bodies.

We recognise that licensing authorities and the public sector face various funding and resource constraints, which was heavily considered when creating the recommendations in this report. While implementing these recommendations will require some additional capacity, they will enable licensing teams to use their leverage to effectively prevent modern slavery.

It is imperative that local councils take advantage of the recommendations outlined in this report and fully utilise their licensing teams in preventing and addressing modern slavery. The implementation of this approach will not only aid in disrupting this heinous issue that affects many people, but ensure local communities are safer and more prosperous. Let us come together to tackle modern slavery.



Cllr Meenal Sachdev



About Shiva Foundation

Shiva Foundation is dedicated to tackling human exploitation in all forms.

We work to ensure that local and national government policies meaningfully address modern slavery and labour rights violations and support survivors fully. This includes but goes beyond the Modern Slavery Act 2015.

We work with policy-makers, local councils, government, businesses and regulatory bodies to make this happen and to achieve systemic change.

We work on projects that:

- Bridge the gap between policy and practice
- Embed better survivor support mechanisms into local practices
- Inform and recommend specific and practically useful guidance for businesses and the public sector
- Advocate for changes in legislation where it might impact people who were exploited or those vulnerable to exploitation

About the Report

This report builds on Shiva Foundation's experience coordinating the Hertfordshire Modern Slavery Partnership and the 2022 report 'Assessing your modern slavery risk – a self-assessment scorecard and supporting guidance for local authorities', which provides practical steps for public bodies to assess key risk areas of modern slavery in their operations, supply chains and other areas of work.

The report makes recommendations for strengthening statutory guidance and explores the opportunities for licensing authorities and practitioners to utilise tools at their disposal to enhance local anti-modern slavery responses. Modern slavery can be identified across a number of council areas including, but not limited to licensing, environmental health and trading standards, housing, procurement, community safety and social services. The report seeks to identify key principles for leveraging existing frameworks, which are already used by licensing and enforcement teams across the 333 local authorities in England, to embed anti-modern slavery responses and to provide practical solutions and recommendations for enhancing anti-modern slavery provisions across licensed sectors.

The report was compiled following extensive evidence gathering from April to August 2022. We conducted roundtables with 30 stakeholders, composed of 15 local authorities, regulatory agencies including the Environment Agency and the Gangmasters and Labour Abuse Authority (GLAA) and three other non-statutory partners. Analysis was conducted on case studies utilising local licensing frameworks that addressed anti-social behaviour and crime in the night-time economy.

West Sussex Council Community Safety and Wellbeing Team held 1-to-1 meetings with two local authorities to provide further advice on how to implement a few of the recommendations and suggested activities highlighted throughout the report.

Outline

The report is organised as follows:

Section 1 explores how **national licensing guidance can be strengthened to prevent modern slavery** across the UK. This section contains a list of recommendations for national government.

Section 2 looks at how **local councils can update local licensing policies to directly address modern slavery**. This section contains a list of recommendations for local council leadership.

Section 3 focuses on the importance of awareness raising amongst licensed businesses and **how to build the internal capacity of local licensing teams to practically address modern slavery** in their daily operations. This section contains a list of suggested activities for local licensing enforcement teams.

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We are especially grateful to the local authorities who provided guidance on the pilot project and to the local authorities who ran the pilots, which helped us shape this final report.



Section 1

“Section 182 of the Licensing Act 2003 does not currently include / refer to modern slavery offences specifically (it does cover under licensing objectives the prevention of crime & disorder broadly) [however] the main focus [has been] on the protection of children from harm. What about the protection of vulnerable exploited adults on these premises? [Guidance] should be revised for modern slavery to be [specifically] included for licensed premises.”

Section 1

How national licensing guidance can be strengthened to tackle modern slavery across the UK

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Summary of Recommendations

Addressing the lack of modern slavery provisions in licensing legislation requires a multi-faceted approach. While the following recommendations focus mainly on the Licensing Act 2003, a similar approach may be considered when addressing the lack of adequate modern slavery provisions across other legal frameworks used by licensing and enforcement teams.

Rather than creating a new licensing objective, statutory guidance could incorporate specific reference to modern slavery risks and provide practical steps for licensing teams to consider. This would enable a consistent approach in addressing modern slavery and also provide a degree of flexibility, given that statutory guidance can be updated more easily than primary legislation.

✔ Recommendation 1:

Add modern slavery and human trafficking to the list of serious crimes (paragraph 11.27 of the 'Revised Guidance issued under section 182 of the Licensing Act 2003') where revocation of a licence should be considered in the first instance.

✔ Recommendation 2:

Amend the Section 182 Guidance which accompanies the Licensing Act 2003 to clarify that prevention of modern slavery is a valid consideration under the 'prevention of crime and disorder' licensing objective.

✔ Recommendation 3:

Embed modern slavery questions, wording, and/or declarations into the standard licensing application process in order to draw attention to modern slavery and produce consistent data on individual business activities addressing it.

1. National Policy and Legislation

In the U.K., national policy and its associated guidance sets out the standards for how legislation and regulations passed by the government should be implemented locally. The Modern Slavery Act 2015 consolidated all pre-existing legislation related to modern slavery and human trafficking, making it easier for both statutory and non-statutory organisations to access and understand.

In line with the Modern Slavery Act 2015, amendments relating to modern slavery have been made to various parts of existing national legislation and statutory guidance. This includes areas such as adult social care, homelessness, and labour regulation.¹ However, there remains a lack of explicit guidance on how to prevent modern slavery across various other licensing legislation. See table below:

Legislation/Guidance	Covering	Responsible Organisation(s)
Licensing Act 2003	All premises that require a licence	Local Authorities and other recognised regulatory authorities (e.g. police, Fire and Rescue Service (FRS))
Food Safety Act 1990 and Food Safety & Hygiene (England) Regulations 2013	All Food Establishments and Businesses	Food Standards Agency (FSA) and Local Authorities
Public Health (Control of Disease) Act 1984	All commercial premises	Local Authorities
Health and Safety at Work Act 1974	All commercial premises	Health and Safety Executive (HSE) and Local Authorities
Environmental Protection Act 1990	All commercial premises	Environment Agency (EA)
Gambling Act 2005	All premises used for gambling	Local Authorities
Local Government (Miscellaneous Provisions) Act 1976	E.g. covers all taxi and private hire vehicle operators and all venues carrying out body piercing	Local Authorities
Housing Act 2004	All residential premises	Local Authorities
Animal Welfare Act 2006	All premises where animals are kept	Local Authorities
Statutory Taxi & Private Hire Vehicle Standards 2020	All taxi and private hire vehicle operators and drivers	Local Authorities
The Caravan Sites and Control of Development Act 1960 and Mobile Homes Act 2013	All Mobile Homes and Caravan Sites	Local Authorities

¹ For example, the GLAA were given additional powers and responsibilities, in the Immigration Act 2016 section 3(3), to investigate a range of labour market offences which correspond to the offences in Sections 1, 2, 4 and 30 of the Modern Slavery Act 2015. Modern slavery was also added as a category of abuse under adult safeguarding procedures, as set out in the Care Act 2014: Statutory Guidance (Section 14), and as a specific chapter (Chapter 25) to the Homeless Code of Guidance 2018 for Local Authorities (updated June 2022).

Legislation/Guidance	Covering	Responsible Organisation(s)
Consumer Rights Act 2015	Any premises used in cause of a trade or business.	Local Authorities
Environment Act 2021	Majority of commercial premises	Environment Agency
Fire and Rescue Services Act 2004 and Regulatory Reform (Fire Safety) Order 2005	All commercial and residential premises	Local FRS
Business and Planning Act 2020	All commercial premises	Local Authorities

Given the breadth of scope of the legislation and guidance, it is out of the scope of this report to review each area piece of legislation and guidance in detail. The Licensing Act 2003 and associated statutory guidance, covering alcohol and entertainment licensing, is used as a case study to demonstrate how amendments to these frameworks may work.

This section of the report focuses specifically on licensing statutory guidance, which covers a large cohort of businesses. It includes requirements to apply for a licence as well as outlining the ability of local authorities to inspect or conduct audits of licence holders, to review and add conditions to licences and ultimately revoke licences in the case of serious breaches. A section on licensing application forms is also included, along with recommended modern slavery wording and declaration.

While still requiring additional capacity, the benefit of these recommendations lies in the use of pre-existing channels and tools (communications, guidance, visits, inspections, audits and sanctions) to engage with businesses and work towards compliance.

Incorporating some less extensive amendments would have a considerable impact when it comes to tackling modern slavery in the UK and encourage licensing enforcement authorities to engage more consistently with the issue and empower them to act where needed.

1.1 The Licensing Act 2003

The Licensing Act 2003 makes provision for licensing premises that sell or supply alcohol, provide regulated entertainment, or provide late night refreshment. The Licensing Act 2003 gives licensing authorities (district, unitary and metropolitan borough councils) powers over licensed premises, as well as giving local people more of a say in licensing decisions.

There are four licensing objectives which underpin the Licensing Act 2003 that need to be considered and promoted throughout the licensing process. Each of these objectives is of equal weight. These objectives are: 1) The prevention of crime and disorder; 2) Public safety; 3) The prevention of public nuisance; and 4) The protection of children from harm. Regulatory authorities have statutory responsibilities to ensure that licence holders are conducting activities in line with these objectives. As modern slavery is a serious crime, it should be within the scope of the licensing objectives.

1.2 Statutory Guidance

A more achievable approach is to incorporate modern slavery requirements into the Licensing Act 2003 Statutory Guidance, which local authorities must pay due regard to. The guidance was last revised in 2022. Amended guidance would act as a powerful tool to support licensing authorities to incorporate modern slavery prevention into their work in a consistent way.

The Licensing Act 2003 Statutory Guidance provides detailed information on the different crime types that fit within the various licensing objectives. Paragraph 11.27 also provides a list of serious criminal offences. The Home Office expects that where review arises and the licensing authority has determined that a license holder has undermined the crime prevention objective, revocation of the license should be seriously considered, even in the first instance. Crimes under this category range from the sale and distribution of drugs to the sale or unlawful pornography and grooming of children.

Modern slavery is a serious crime with a possible punishment of life imprisonment. However, it is not explicitly mentioned alongside other serious crime types in paragraph 11.27. It was noted by some stakeholders as a barrier to licensing officers being able to revoke a licence at the first review on the basis of identifying modern slavery/human trafficking at a licensed premise. One local authority licensing officer emphasised that it would be easier to make a compelling and defensible case for revocation if modern slavery is explicitly referenced as a “serious offence” under paragraph 11.27.

“Section 182 of the Licensing Act 2003 does not currently include / refer to modern slavery offences specifically (it does cover under licensing objectives the prevention of crime & disorder broadly) [however] the main focus [has been] on the protection of children from harm. What about the protection of vulnerable exploited adults on these premises? [Guidance] should be revised for modern slavery to be [specifically] included for licensed premises.”

Case Study (Barnet): Immigration Enforcement received intelligence that there were people working at a local Chinese restaurant in Barnet that didn't have a right to work in the UK. Immigration Enforcement officers visited the premises, and then undertook a subsequent visit with the London Borough of Barnet Council Licensing Team. They identified that several people working at the premises did not have the right to work in the UK, were living in the attic space above the restaurant with buckets for toilets and were only being compensated with food rather than monetarily. As a result of these issues, a licence review hearing was organised. The London Borough of Barnet Council's licensing team argued that the licence should be revoked based on the issues identified.

However, the licensing committee decided that the licence holder would pay a fine of £10,000 per worker but retain their licence. Due to gaps in knowledge at the time, the licensing

team did not argue that these issues were indicative of modern slavery offences. Reflecting on this case during interview, the local authority licensing officer said: “If that [type of case came] back across my table, and I was doing the review again from the start, I would [argue that] not only do we have immigration offences, but we have modern slavery offences[...] and ultimately, at that point, I would hope the committee would side with me and revoke the licence”.



A third of stakeholders (n=8 out of 28) that contributed to this research highlighted a need to embed clearer modern slavery content into Licensing Act 2003 Statutory Guidance. **Stakeholders noted that this content should include:**

- ➔ Adding modern slavery to Paragraph 11.27 (list of serious criminal offences)
- ➔ A requirement that all licensing officers, must complete modern slavery training.²
- ➔ Guidance on how prevention of modern slavery fits explicitly within the core licensing objectives, particularly prevention of crime and disorder, in Section 2.
- ➔ Clear guidance on regulatory statutory responsibilities, what should be considered in relevant cases, and enforcement capabilities in this area.

Stakeholders agreed that these additions would: 1) encourage local teams to address modern slavery directly in their policies or at least have due regard to it; 2) enable licensing officers to review licences on a first offence with little obstruction or protest; and 3) support knowledge building around modern slavery in line with its updated priority status.

✔ Recommendation 1:

Add modern slavery and human trafficking to the list of serious crimes (paragraph 11.27 of the ‘Revised Guidance issued under section 182 of the Licensing Act 2003’) where revocation of a licence should be considered in the first instance.

✔ Recommendation 2:

Amend the Section 182 Guidance which accompanies the Licensing Act 2003 to clarify that prevention of modern slavery is a valid consideration under the ‘prevention of crime and disorder’ licensing objective.

² It is important to note that concerns relating to funding and guidance on modern slavery training for licensing officers arose during the research. These concerns are addressed in part in Section 3 of this report (titled ‘How local licensing teams can practically confront modern slavery in their daily operations’) however more extensive research into training licensing officers should be conducted as it is currently beyond the scope of this research.

1.3 Licence Application Forms

A premises licence is a permanent licence granted in respect of a specific location. It authorises the licence holder to carry out a combination of licensable activities. All businesses requiring a licence must make a formal application to the relevant licensing authority (typically, the local authority). All licence forms have been produced as standardised government forms and are set out in legislation. Therefore, any amendment to the form requires legislative change.



To receive approval for a licence, the applicant needs to demonstrate within their operation schedule and to the local authority's satisfaction, that there will be no negative cumulative impact on the licensing objectives outlined in the Licensing Act 2003. Licence holders must provide specific comments on how they plan to promote each of the licensing objectives.

Adding specific questions on labour standards and modern slavery to the licence application form would encourage interest in and increase learning around modern slavery by local businesses. It would also provide an opportunity for the national government to collate a list of activities being undertaken by licence holders to tackle and prevent modern slavery. This would support the government to better capture information on the modern slavery prevention activities of a large cohort of local businesses that currently do not meet the reporting threshold outlined in Section 54 of the Modern Slavery Act 2015.

Examples of possible questions or requests for proof of evidence that could be added include:

- ➔ Do you have a modern slavery statement for your business? Please see here for information on modern slavery statements. (Response: Y/N) If yes, please attach it.
- ➔ Do you use (or will you use) third party agencies or subcontractors for any part of the business? (Response: Y/N) If you answered yes, please provide basic details.
- ➔ Do you (or will you) pay your employees at least national minimum wage in line with UK law? (Response: Y/N)
- ➔ Do you (or will you) provide your employees with working contracts in line with UK law? (Response: Y/N)
- ➔ What steps have you taken (or will you take) to prevent exploitation of your employees? (1) In house and 2) third party) (Response: Comment Box)

Another option is to require applicants to state their commitment to tackling modern slavery by requiring them to sign a declaration that they will not knowingly engage in modern slavery and if they are found to be guilty of such, their licence will become immediately invalid.

A declaration of this kind could be in a similar format to the immigration declaration in Part 4 (pp.18-19) of the current licence application form. This declaration outlines several offences under the Immigration Act 1971 and requires confirmation by the licence holder of their 'entitlement to live and work in the UK', as well as there being no condition preventing them from undertaking 'a licensable activity'.

"...the form itself provides opportunities to educate licence holders on modern slavery risks and can potentially act as a deterrent..."

Based on the existing immigration declaration, an example of information and declaration on modern slavery that could be embedded within a premises licence application form under the Licensing Act 2003 is: It is an offence under Section 1 of the Modern Slavery Act 2015 for a person to hold another person in slavery or servitude and the circumstances are such that the person knows or ought to know that the other person is held in slavery or servitude, or the person requires another person to perform forced or compulsory labour and the circumstances are such that the person knows or ought to know that the other person is being required to perform forced or compulsory labour. It is also an offence under Section 2 of the Modern Slavery Act 2015 for a person to arrange or facilitate the travel of another person ("V") with a view to V being exploited. Those who engage in any of these activities will be liable to a criminal penalty under Section 5 of the Modern Slavery Act 2015.

Declaration

I understand I am not entitled to be issued with a licence if as an employer, any employees are subjected to exploitative practices that amount to slavery or servitude and that my licence will become invalid if I am found to be responsible for such activities.

Every business that engages in any form of licensable activity under Licensing Act 2003 must complete a licence application form. As such, there is a substantial opportunity to utilise licence application forms to bring modern slavery to the attention of thousands of local businesses across the UK. This would encourage knowledge building; demonstrate the importance of this issue to local authorities; build up data on the modern slavery practices of businesses that do not meet the reporting threshold; and communicate to local businesses that modern slavery will not be tolerated, with licence holders risking licence revocation and criminal conviction if identified as engaging in this crime.



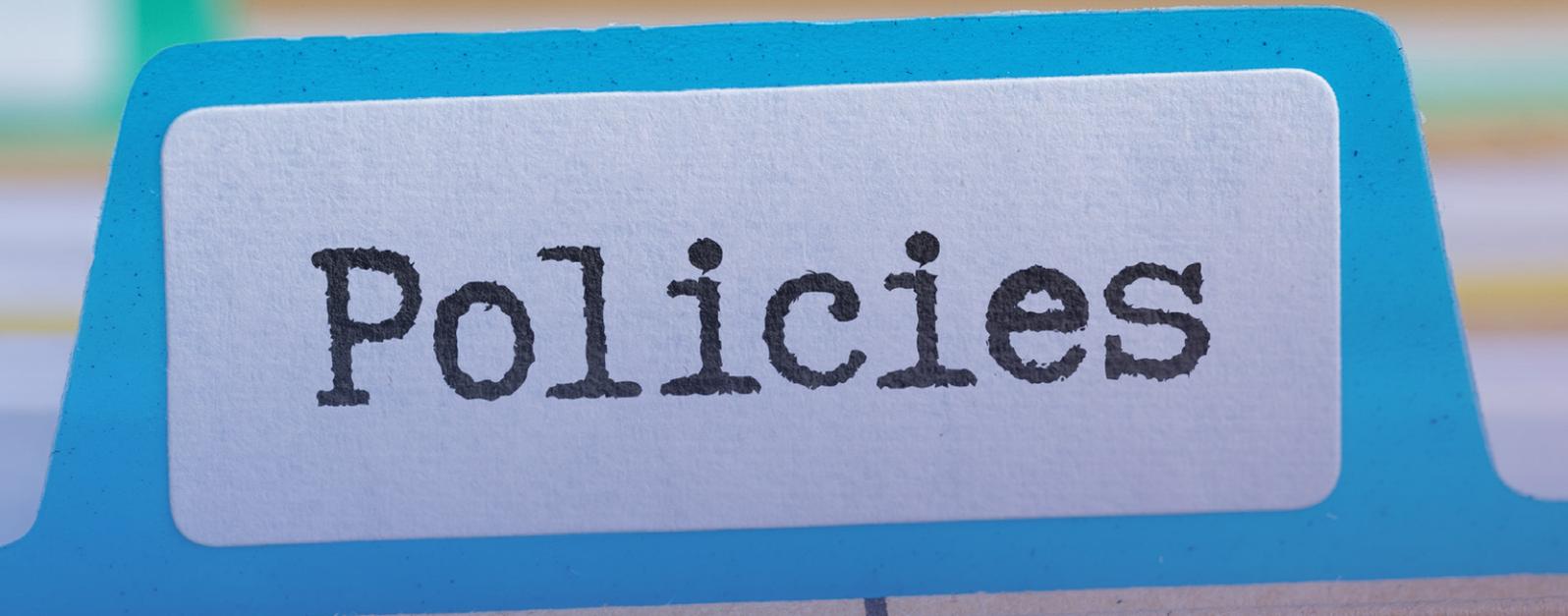
✔ Recommendation 3:

Embed modern slavery questions, wording, and/or declarations into the standard licensing application process in order to draw attention to modern slavery and produce consistent data on individual business activities addressing it.

Section 1: Summary

Robust and up-to-date national policy and guidance on modern slavery is essential to ensuring that statutory and non-statutory stakeholders have sufficient tools to proactively prevent and tackle modern slavery in the UK.

While this section looked closely at The Licensing Act 2003 the wider regulatory regimes around licensing and environmental health present an excellent opportunity to utilise existing frameworks to support anti-modern slavery efforts in line with the day-to-day roles of licensing authorities. To achieve this, national government should look into amending relevant legislation and statutory guidance to enable that change.



Policies

Section 2

“ The need to produce clear, unambiguous, and enforceable modern slavery conditions and deliver training on modern slavery will be crucial to enabling licensing officers to set appropriate, measurable and enforceable modern slavery conditions, in line with local licensing policies ”

Section 2

How councils can update local licensing policies to directly address modern slavery

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Summary of Recommendations

This section provides recommendations for how local licensing policy under the Licensing Act 2003 can be utilised to strengthen modern slavery identification and prevention activities. The approaches outlined below could also be adopted across a variety of different licensing/regulatory regimes. E.g., Gambling Act 2005, Housing Act 2004, Local Government Act 1976.

✔ Recommendation 4:

Supported by the recommended changes to Section 182 Guidance accompanying the Licensing Act 2003, **local authorities should add a modern slavery section to their statement of licensing policy.**

✔ Recommendation 5:

Local licensing authorities should take proactive steps during any consultation period to **raise awareness of modern slavery with applicants and recommend the adoption of modern slavery conditions if necessary and proportionate.**

✔ Recommendation 6:

National government should update the Licensing Act 2003 Statutory Guidance to include **signposting to good practice examples of appropriate modern slavery conditions** that licensing officers can include in licences.

✔ Recommendation 7:

Local authorities should **embed modern slavery conditions within a model list of conditions** for local business.

✔ Recommendation 8:

Local authorities should **add basic modern slavery questions to inspection/audit forms** to support inspecting officers with assessing whether businesses are compliant with modern slavery provisions set out in local policy on a routine basis. If these questions reveal possible modern slavery, supplementary questions should then be asked, and external partners involved.

✔ Recommendation 9:

Local authorities should take a whole council approach to tackling modern slavery and **should consider adding content on licensing and environmental health to modern slavery statements.** This could be written by relevant departments and include confirmation of a designated lead who is responsible for monitoring implementation of such activities.

2 Local Policy and Implementation

This report explores how local licensing policies can better incorporate modern slavery considerations.

2.1 Local Licensing Policy

Since the Modern Slavery Act 2015 came into force, some local authorities have embedded prevention of modern slavery into relevant licensing policies during policy reviews.¹ Modern slavery content embedded in licensing policies tends to include information on: 1) context, 2) indicators, 3) council commitment to tackling the issue, 4) how to mitigate risks to workers, including via the use of third-party agencies or providers, and 5) reporting concerns.

Despite this progress, the current ad hoc approach to adding prevention of modern slavery measures into licensing policies has its drawbacks. For the most part, prevention of modern slavery has still not been embedded in most council licensing policies.

There could be several reasons for this:

- Licensing teams could be waiting for their next review period before they include modern slavery wording in their policy.
- Many local authorities do not have the right expertise to know what specific prevention of modern slavery provisions should be included within local licensing policies.²
- The Licensing Act 2003 is focused around four licensing objectives to which each decision or condition must related. Many local authorities appear reluctant to link modern slavery to the prevention of crime and disorder.
- There is a significant amount of case law stating that licensing authorities should only act if there is evidence, and they should not duplicate requirements of other legislation. It appears that some local authorities feel that they cannot consider modern slavery abuses, as it would lead to duplication. Section 182 Guidance revision advising them that they can and should, would help.
- The policies set out in the Licensing Act 2003 (and Gambling Act 2005) are only effective if the licensing authority uses its discretion, which may happen if a responsible authority makes a representation to apply modern slavery prevention to the policy. It is also unclear which authority should take the lead in addressing issues related to modern slavery. Licensing authorities should clarify this in their policy reviews and specify which body will take the lead. This could be the Licensing Authority itself or another authority such as the police.

¹ Hertsmere Borough Council included a section on modern slavery in their [Statement of Licensing Policy 2023-2028](#). Around a third of stakeholders (n=8 out of 28) that contributed to this project confirmed that they had embedded prevention of modern slavery measures within at least one licensing policy. A further 4 project stakeholders expressed an interest in doing so in the future.

² This was cited as a challenge by just over 40% of (n=5 out of 12) project stakeholders who had either embedded modern slavery measures within their local licensing policy or expressed an interest in doing so.

.....

Case Study (various local authorities across Hertfordshire): Local licensing officers had been working with the Hertfordshire Modern Slavery Partnership (HMSP) for some time. The Partnerships Coordinator reminded the officers when relevant policies were up for review and supported them with embedding modern slavery content within the licensing policies during the consultation window. Hertsmere Borough Council³, Dacorum Borough Council⁴ and East Hertfordshire District Council⁵, all updated one or more of their licensing policies to include definitions of modern slavery, statistics, identification and reporting protocols, details of labour market infringements and the forms of modern slavery relevant to their business. However, not all local authorities have this dedicated resource and so opportunities to incorporate modern slavery into local licensing policies can be missed.

.....

Given low awareness of the potential role of licensing in tackling modern slavery, referencing modern slavery in the Section 182 guidance accompanying the Licensing Act would be a helpful way of raising awareness (see Section 1 on National Policy and Legislation for further information on this.) Any changes made to the Licensing Act 2003 statutory guidance could then be promptly reflected in local policy. This would ensure that prevention of modern slavery is added to local licensing policies in a timely and consistent fashion.

 **Recommendation 4:**

Supported by the recommended changes to Section 182 Guidance accompanying the Licensing Act 2003, **local authorities should add a modern slavery section to their statement of licensing policy.**

2.2 Practical Implementation of Local Policy

The practical implementation of local licensing policy is supported by several different tools, including licence applications⁶, licence conditions, inspections, audits and enforcement. These tools ensure that licence holders and licensed premises are more likely to pay due regard to local policy, with adverse consequences if they fail to uphold these policies in the operation of their licence. Modern slavery is a crime that could benefit from greater oversight through this infrastructure. As a result, these tools need to be fit for purpose to facilitate effective prevention and addressing this issue at the local level.

Modern slavery is a crime that could benefit from greater oversight through this infrastructure

3 Hertsmere Borough Council – ‘Statement of Licensing Policy 2023-2028’. [Accessed 20 June. 2023].

4 Dacorum Borough Council – ‘Taxi and Private Hire Licensing Policy’. [Accessed 20 June. 2023].

5 East Hertfordshire District Council – ‘Draft Statement of Licensing Policy 2021 - 2026’. [Accessed 20 June. 2023].

6 Licence applications are explored in detail in Section 1.

2.2.1 Licence Conditions⁷

Conditions can cover a wide range of areas and must relate to one of the four licensing objectives. These should be appropriate, precise, enforceable, unambiguous, clear, and proportionate.⁸ Examples that licence conditions cover include instructions on policies being implemented, training for staff and displaying appropriate signage.⁹



The setting of additional conditions is particularly common for those individuals applying to run licensed venues which are considered at a high risk for modern slavery offences, such as nail bars, clubs, hotels etc. Guidance urges partnership working in promotion of the licensing objectives, so that conditions are agreed with the applicant. Once conditions have been agreed with applicants and attached to a licence, local authorities have the right to follow up on those conditions with a list of standard inspection questions to check compliance.

These conditions are not standard and cannot be applied to every business (as each business must be assessed on its own merits). The review process can take place before a licence is granted or retroactively if a business is thought not to be promoting the licensing objectives in their operations.

Failing to fulfil any conditions set out within a licence is an offence under the relevant legislation and can lead to enforcement action being taken. Enforcement action is taken as a stepped approach which may include some or all of the following: i) an informal warning; ii) a formal warning; iii) a site visit; iv) a licence review (options at review can include amending the licensing conditions, suspending the licence or revoking the licence).

Case Study (Westminster City Council): Westminster City Council has a list of approximately 90 model conditions for licensed premises in their local policy document, which a licence applicant may consider adding to their application to promote the licensing objectives. Any changes to these model conditions goes through the same process as changes to other aspects of local policy – namely a formal consultation and report to the licensing sub-committee. These model conditions focus on several different areas ranging from CCTV system requirements to door supervisor and customer ID scan requirements to seasonal timings.¹⁰ It is worth noting that model conditions can be perceived as somewhat controversial as it can encourage more conditions to be added onto licence applicants.

7 Home Office (2018) – ‘Revised Guidance issued under section 182 of the Licensing Act 2003’, para 8.69 - 8.71. [Accessed 20 June 2023].

8 As set out in Paragraph 1.16 of the Section 182 Licensing Act 2003 Statutory Guidance

9 These conditions fall into three main categories: 1) volunteered conditions suggested by the licence applicant; 2) imposed conditions as standard and mandated by national legislation and 3) conditions offered by the licensing authority.

10 Westminster City Council (2021) – ‘Model conditions: Licensing Act 2003 and Gambling Act 2005’. [Accessed 12 Aug. 2022].

Some stakeholders on this project suggested that modern slavery conditions should be added to local council model condition lists. Given that each licensing officer must demonstrate that conditions are directly applicable and proportionate for a license application, it would be possible to either utilise a modern slavery model condition from a list or design an appropriate modern slavery condition in collaboration with the applicant. Having a modern slavery condition, where appropriate, ensures that licence holders would have to demonstrate how they are complying with the agreed modern slavery conditions and licensing officers would have a mechanism to hold license holders to account if they were in breach of such conditions.¹¹

Licensing officers involved in this project also emphasised the importance of setting clear, unambiguous, and enforceable conditions. Some raised concerns that a modern slavery condition runs the risk of being unenforceable, if not designed well. A council licensing officer gave the following example: 'If you had a condition attached to a licence that states, for example, "the licence holder will follow modern slavery guidance", this condition is not enforceable as it would be difficult for the local authority to measure whether [the licence holder] is actually complying with it or not. [... Local authorities] don't want to [just] put an informative condition on a licence, we want it to have substance'.¹²

A modern slavery condition runs of the risk of being unenforceable, if not designed well

The need to produce clear, unambiguous, and enforceable modern slavery conditions and deliver training on modern slavery will be crucial to enabling licensing officers to set appropriate, measurable and enforceable modern slavery conditions.

Blanket and standardised conditions are unlawful, and any conditions must be tailored to the application whether they come from a model condition list or not. They must be appropriate for the promotion of the licensing objectives in that individual case.¹³ The table below provides some examples of how modern-slavery related conditions may be worded, but is not intended to replace the practice of crafting tailored conditions for each prospective licence holder:



11 Suggestions made by stakeholder during interview.

12 Ibid

13 Section 1.16 of the section 182 guidance

No.	Modern Slavery Condition	Evidence
1	The premises licence holder must display a modern slavery poster on the premises. This should be in a language understood by the workers and cover the main aspects of exploitation. It should sign post where help is available. ¹⁴	<ul style="list-style-type: none"> • Check public display of relevant posters during the inspection • Check that the content of the posters covers the main aspects of exploitation during the inspection.
2	The premise licence holder and their staff must undergo modern slavery training, which covers the main aspects of exploitation. The training must be coupled with a knowledge test, with recorded outcomes/pass marks. This training must be logged and made available for inspection, on reasonable request by an authorised officer.	<ul style="list-style-type: none"> • Check modern slavery training logs during the inspection. • Check that content of modern slavery training covers the main aspects of exploitation during the inspection. • Check that knowledge test was completed and passed during the inspection. • Check employees on the premises align with the list of names and their record of training during an inspection.
3	The premises licence holder must have a safeguarding policy (which includes modern slavery, child sexual exploitation etc) in place, due to the unique risks posed by the business. This policy must be made available for inspection, on reasonable request by an authorised officer.	<ul style="list-style-type: none"> • Check the licensed business has a safeguarding policy (which includes modern slavery, child sexual exploitation etc) during an inspection.
4	The premise licence holder must record any safeguarding concerns or confirmed reports. This includes, but is not limited to, modern slavery and child sexual exploitation. This record must be made available for inspection, on reasonable request by an authorised officer.	<ul style="list-style-type: none"> • Check the licence holder has an incident log and/or recorded any incidents during an inspection.
5	The Licence holder will ensure that all contractors and external parties have a safeguarding policy, which includes, but is not limited to, modern slavery, child sexual exploitation. They must also have all contractors and external parties sign a declaration stating that all staff they are using to fulfil the event have undergone right to work checks. The licence holder must record and keep these documents, which must be made available for inspection, upon reasonable request, to an authorised officer.	<ul style="list-style-type: none"> • Records being kept and available for inspection.

14 Supporting Example (Hammersmith and Fulham): Lessons can be learnt from The London Local Authorities, Act 1991 and the work of The London Borough of Hammersmith and Fulham's Licensing Team as their officers engage with licensed special treatment businesses. Section 5 (Modern Slavery) of the London Borough of Hammersmith and Fulham's Standard Licence Conditions for Premises Offering Special Treatments includes a definition of modern slavery and highlights how premises can report modern slavery, including signposting to the Modern Slavery and Exploitation Helpline. Section 5c also states the following condition to be met by premises offering special treatments: 'Licence holders shall ensure a [STOP THE TRAFFIK](#) poster is on display in a prominent position where therapists and staff can see it'. Section 5c is an example of a condition that is clear, unambiguous and enforceable because any licensing officers inspecting a special treatment premise in Hammersmith and Fulham can actively look for evidence of the STOP THE TRAFFIK poster being displayed. If they can easily find it, then it is also clear that any employed therapists and staff can see it as well. If either the poster was not on display or the chosen area of display was hard to find, then a licensing officer could certainly demonstrate that the premise is breaching the condition.

Interviewed licensing officers also suggested that it is better for local authorities to agree modern slavery conditions with an applicant before a licence has been granted (i.e., during the consultation period) rather than after. Attempting to agree additional conditions with the applicant retrospectively is significantly more difficult and would likely involve a review of the licence (a process which would be time consuming for all parties involved).



Setting modern slavery conditions on a licence is an effective way for local authorities to utilise the existing licensing infrastructure to proactively raise awareness of modern slavery among licence holders and contribute to prevention efforts. However, as not all local licensing officers have sufficient expertise to create appropriate modern slavery conditions on their own, it would be useful for any updates to the relevant statutory guidance to signpost to good-practice examples of suggested modern slavery conditions. Local authorities could use these good practice examples to create a model list of conditions within their local policy, which can be drawn upon on a case-by-case basis, if necessary and proportionate.

✔ **Recommendation 5:**

Local Licensing authorities should take proactive steps during any consultation period to **raise awareness of modern slavery with applicants and recommend the adoption of modern slavery conditions if necessary and proportionate.**

✔ **Recommendation 6:**

National government should update the Licensing Act 2003 Statutory Guidance to include **signposting to good practice examples of appropriate modern slavery conditions** that licensing officers can include in licences.

✔ **Recommendation 7:**

Local authorities should **embed modern slavery conditions within a model list of conditions** for local business.

2.2.2 Implementation of Local Policy: Inspections and Audits

Licensing authorities conduct inspections and audits of licensed premises to ensure compliance with relevant licensing policies, licence conditions and national law. This covers a breadth of premises. Engaging with these premises on preventing modern slavery using the existing regulatory infrastructure would increase awareness of the issue among local businesses and ensure greater oversight, leading to increased modern slavery prevention.¹⁵

2.2.2.1 Inspection/Audit Forms and Conduct

Local authorities should add questions relating to modern slavery and exploitation to inspection form checklists. This would ensure that inspection officers (who may or may not have had modern slavery training) will have a standard of questions on modern slavery that they can refer to for every routine visit. These basic questions would better support officers to look out for the signs of modern slavery exploitation and provide a consistent record of concerns to support with analysis of local data on the prevalence of the issue.

Basic questions to be added to the inspection/audit form could include:

- ➔ Is there evidence of someone living on site? (Y/N) If yes, please explain. (Comment Box)
- ➔ Do any workers appear unkempt/malnourished/frightened? (Y/N) If yes, please explain. (Comment Box)
- ➔ Do all workers have a basic understanding of English? (Y/N) If no, are there relevant health and safety and workers' rights materials provided or displayed in their own language? (Y/N)

If, based on answers to these basic set of questions, concerns are identified then inspection officers should be signposted to the councils' pathways for sharing information and sharing concerns. This should include an overview of the NRM and how it works. Similar question frameworks can be adapted and added to the licensing inspection frameworks for specific sectors and other licensing frameworks.¹⁶ With training support, this would help officers to identify possible modern slavery indicators linked to the relevant licensed activity (see Section 3 on Internal Awareness Raising for further information on this).

“These basic questions would better support officers to look out for the signs of modern slavery and exploitation.”

Embedding standard questions on modern slavery within an inspection or audit form would have a far-reaching positive impact in terms of ensuring that frontline officers will have due regard to the

¹⁵ See Appendix 11 for an example of how local fire and rescue services might inspect a local HMO.

¹⁶ The Royal Borough of Kensington and Chelsea Council's Licensing Team asks managers and therapists a list of questions when visiting premises suspected of selling sex. While no question explicitly mentions modern slavery, responses to certain questions can help indicate if modern slavery is potentially present. Some of the questions they include in their inspection framework includes: can you show me records of salary payments to the therapists? Have checks been done on the immigration status of employees as required by the Home Office? Do you have copies of passports/visas/documentation providing employees' entitlement to work? Are you working here of your own free will?

issue, ensures vital evidence is not lost and provides an opportunity to collect robust data on the crime. Without this addition as a prompt, it is likely that some inspectors may not remember to think about the possible signs, particularly if they have not received formal training or it has been a while since their training has been refreshed.

✓ Recommendation 8:

Local authorities should **add basic modern slavery questions to inspection/audit forms** to support inspecting officers with assessing whether businesses are compliant with modern slavery provisions set out in local policy on a routine basis. If these questions reveal possible modern slavery, supplementary questions should then be asked, and external partners involved.

2.3 Local Policy: Modern Slavery Statements, Strategies and Policies

There are 333 local authorities in England and 22 local authorities in Wales that have broad procurement responsibilities across many areas where modern slavery could be identified. Since 2015, around 47% of local authorities (n=166) have published modern slavery statements. Out of 48 local Fire and Rescue Services (FRS) in England and Wales, just under a third services (n=13) have made submissions.¹⁷



Where local authorities have modern slavery statements, they publicly demonstrate a commitment to tackling modern slavery, senior leadership buy-in and ensure greater oversight of council anti-modern slavery activities. Statements also act as a point of leverage or reference to support with implementation of anti-modern slavery activities and practices by the whole council. While it isn't currently the norm, consulting with licensing teams when writing modern slavery statements, policies and strategies could provide local councils with a good opportunity to enhance accountability by listing relevant activities within their modern slavery statement.

Interestingly, out of the 28 organisations that contributed to the project, 50% (n=14) have modern slavery statements. 2 out of the 14 refer to licensing or environmental health within those statements. Given the scope of licensing and environmental health teams to contribute to tackling modern slavery through their existing regulatory frameworks, it would be beneficial for these departments to actively contribute to the drafting of local council modern slavery statements. The government's commitment to expand Section 54 of the Modern Slavery Act 2015 to include public sector organisations also creates an opportunity to include more information on what content should be included within a statement.¹⁸ It is important to strengthen capacity, elevate awareness among license holders, and foster collaborative partnerships within law enforcement. These elements are indispensable in addressing modern slavery risks.

¹⁷ Local Government Association – 'Local authorities' modern slavery statements'. [Accessed 20 June 2023].

¹⁸ Home Office (2020) – 'Transparency in supply chains Government Response'. [Accessed: 9 May 2022]

✔ Recommendation 9:

Local authorities should take a whole council approach to tackling modern slavery and **should consider adding content on licensing and environmental health to modern slavery statements**. This could be written by relevant departments and include confirmation of a designated lead who is responsible for monitoring implementation of such activities.

Section 2: Summary

The collaborative efforts of licensing authorities, licence holders, and law enforcement agencies, as outlined in this section, have the potential to create a robust and proactive approach in preventing and combating modern slavery. Utilising the local licensing infrastructure, integrating modern slavery content into policies, and conducting thorough inspections increases awareness of modern slavery and outlines expectations on local businesses. These measures contribute to the development of a vigilant and informed society that is committed to eradicating modern slavery.

A woman with dark hair, wearing a grey turtleneck sweater, is smiling and raising her right hand in a classroom setting. She is holding a yellow pen between her fingers. The background shows other people and bright windows, suggesting a collaborative learning environment.

Section 3

“ This section emphasises the importance of capacity building, raising awareness among license holders, and fostering partnership working in law enforcement to combat modern slavery effectively. ”

Section 3

How local licensing teams can practically confront modern slavery in their daily operations

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Summary of Recommendations

Capacity Building (Statutory Authorities): Capacity building is crucial for practitioners who may encounter modern slavery to ensure people affected by modern slavery are identified and perpetrators are deterred from exploiting people in inhumane conditions for profit.

✔ Recommendation 10:

Enhance the safeguarding training for licensing officers by **incorporating modern slavery training that is specific to their role.**

✔ Recommendation 11:

Integrate information about **modern slavery in the safeguarding training that members of licensing committees receive.**

✔ Recommendation 12:

Ensure quality assurance of modern slavery training (both pre-existing and training which forms part of wider safeguarding training) to ensure all relevant modern slavery elements are of a good standard.

Raising Awareness (Licence Holders): Licensing enforcement teams can educate businesses on modern slavery risks through training and holding them accountable for any violations.

✔ Recommendation 13:

Extend **modern slavery training for licence-holders to high risk-licensed** premises.

✔ Recommendation 14:

Provide licence holders with modern slavery guidance documentation during routine visits and inspections. This guidance should provide information on different types of modern slavery, how to mitigate the risk and how to report concerns.

✔ Recommendation 15:

Provide licence holders with publicity materials (in relevant languages) on modern slavery which can be displayed publicly.

Partnership Working in Law Enforcement: Local information sharing works well within borders but can falter across borders or between different enforcement teams and the police.

✔ Recommendation 16:

Establish **licensing action groups** to regularly review licensing applications and any licensing issues uncovered.

✔ Recommendation 17:

Engage in joint visits with other agencies to combat modern slavery.

✔ Recommendation 18:

Encourage the use of prevention and risk orders among licensing teams in collaboration with relevant law enforcement partners.



3 Licensing Teams and Daily Operations

3.1 Capacity Building (Statutory Authorities)

Thorough and tailored training is a powerful driver of change. It ensures that individuals are equipped with the skills and knowledge to address various risks arising in their role both safely and effectively. From a safeguarding perspective, it is vital for frontline team members (such as licensing officers) to be trained to understand, identify, and tackle modern slavery. From an organisational and management perspective, it is important for local authority staff and councils to understand the risks of modern slavery present in licensed businesses, so they feel able to make informed strategic decisions and support policies that directly address them. If practitioners are unable to identify and report modern slavery cases, people trapped in exploitative situations will remain unidentified and perpetrators will be undeterred in their efforts to exploit people in inhumane conditions for profit.¹

3.1.1 Role Specific Awareness Training for Frontline Licensing Officers

To proactively identify and prevent modern slavery in their roles, licensing authorities should deliver specialist training to departments that are likely to encounter modern slavery as part of their engagement with licensed businesses. This is especially critical in cases of licensing frameworks related to sex shops or special treatments, as these have a higher risk of modern slavery. Some local authorities have already implemented a checklist to help inspectors identify exploitation in licensed venues offering specialist treatments.

The importance of specialist modern slavery training for frontline officers and inspectors of regulatory authorities was identified as important by nearly 50% of roundtable attendees. One attendee said: “We need to give all officers who conduct inspections some awareness training. My team has had some, so [now] they know what to look [out] for and to ask when carrying out routine inspections”².

Case Study (HMSP Modern Slavery Workshop): Licensing authorities in Hertfordshire work closely with taxi drivers. The HMSP organised a modern slavery focused workshop in January 2019, attended by at least one representative from each of the 11 local authorities. The purpose of the licensing workshop was to support licensing officers to better understand human trafficking/modern slavery and to support taxi drivers to report safeguarding concerns related



1 LGA (2022) – ‘Council guide to tackling modern slavery’. [Accessed 20 June. 2023]. The LGA’s modern slavery guidance has a section on regulatory services and provides councils with a maturity matrix which allows councils to benchmark their work to tackle Modern Slavery.

2 Out of the 28 organisations that contributed to this project, just over 60% (n=17) had delivered or arranged for delivery of specialist training to frontline officers.

to modern slavery, child sexual exploitation, county lines and extremism. Knowledge levels were assessed before and after the workshop. Directly following the workshop, at least five local authority officers demonstrated an increase in knowledge of modern slavery and human trafficking.

Case Study (Hampshire): Hampshire's Modern Slavery Coordinator delivered a modern slavery awareness session to Portsmouth City Council's Housing Regulation Team in February 2022. The training included information on: 1) what modern slavery is; 2) how to spot the signs of exploitation, including examples of specific case studies relevant to the housing department and within the remit of officer roles; 3) national legislation; 4) local procedures to follow if modern slavery has potentially been identified (e.g. Modern Slavery Victim Pathway at Hampshire); and 5) signposting to the e-learning module on modern slavery developed by Hampshire Modern Slavery Partnership.



Case study (West Sussex): West Sussex County Council piloted specialist modern slavery training to the Fire Safety Team within West Sussex Fire & Rescue Service (WSFRS) in January and March 2022. This team is responsible for inspecting relevant licensed premises to ensure compliance with business fire safety regulations. This training incorporated information on national agency powers which are outlined in the National Enforcement Powers Guide to encourage and facilitate partner engagement and collaboration. The training also included information on possible modern slavery indicators at business premises and referral pathways to follow if a possible case is identified.

There can be obstacles to delivery of training, including capacity/resource constraints, so having senior buy-in is important to overcome these barriers.

 **Recommendation 10:**

Enhance the safeguarding training for licensing officers by **incorporating modern slavery training that is specific to their role.**

3.1.2 Basic Modern Slavery Training for Local Councillors on Licensing Committees

Safeguarding training is delivered to or by local councils across the UK and, for the most part, this will include some reference to modern slavery. In many regions, modern slavery specific training is delivered to first responders³ but this same level of training is not consistently delivered to licensing teams. Training supports managers to identify any knowledge gaps or training needs and encourages shared practice and learning to enhance overall knowledge levels.



Training is a high priority for anti-slavery partnerships as it is widely understood that licensing authorities require the right knowledge and tools to identify and report people trapped in modern slavery.⁴

A cohort that can sometimes get overlooked are local councillors and other political leaders, much to the detriment of progress on the issue. The Local Government Association (LGA)'s councillor guide⁵ notes that the 'personal initiative and commitment of individual council members in driving the agenda can make a huge difference to ensuring that tackling modern slavery is a council priority in areas such as licensing'.⁶

Case study (Hertsmere Borough Council, Hertfordshire): As a member of the licensing committee, Councillor Sachdev saw an opportunity to include information on modern slavery within Hertsmere Borough Council's Statement of Licensing Policy (Appendix 5), when it came under review. Due to the knowledge she held on modern slavery; Councillor Sachdev successfully advocated for a modern slavery section to be added. The section was approved by the rest of the committee and then full council. Through this type of commitment, licensing officers can be trained to not only raise awareness within licensed premises, but also better identify possible cases when visiting such premises.⁷



Recommendation 11:

Integrate information about **modern slavery in the safeguarding training that members of licensing committees receive.**

3 In its review of anti-slavery partnerships in 2019, the University of Nottingham revealed that just under 60% of anti-slavery partnership areas deliver frontline training on modern slavery to partners. These partners include local enforcement bodies and local authorities, who are members in just under 60% of anti-slavery partnerships. See University of Nottingham Rights Lab (2019) 'Partnerships for freedom: Improving multi-agency collaboration on modern slavery', p.19. [Accessed 20 June 2023].

4 There is anecdotal evidence to suggest that training has led to higher NRM referrals, including by the police and local authorities and an increase in police investigations and offences recorded. See Justice and Care (2022) *A Path to Freedom and Justice: a new vision for supporting victims of modern slavery*

5 LGA (2019) – 'Councillor guide to tackling modern slavery'. [Accessed 20 June 2023].

6 Quote from Councillor Simon Blackburn, *ibid*, p.2.

7 Extract from *Ibid*, p 10

3.1.3 Quality Assurance of Training

Quality assurance is important to ensure training is of a good standard nationally and applied consistently across the UK. However, the stakeholders for this report noted that training delivery differs in terms of trainer organisation, sourcing of content, duration and intensity.⁸ Skills for Care & Development, in collaboration with St Mary's University and the Bakhita Centre for Research on Slavery, Exploitation and Abuse, launched a Training Framework on the Identification, Care and Support of Victims and Survivors of Modern Slavery and Human Trafficking in September 2020.⁹ This framework aims to establish clear training standards for those involved in identifying, supporting, and caring for people who have experience of modern slavery and human trafficking.

Recommendation 12:

Ensure quality assurance of modern slavery training (both pre-existing and training which forms part of wider safeguarding training) to ensure all relevant modern slavery elements are of a good standard.

Ongoing quality-assured training, that is refreshed regularly, is essential for staff to feel empowered to proactively identify and prevent modern slavery correctly. While all staff should be provided with modern slavery training, it is particularly important that frontline staff who are most likely to encounter modern slavery in their work are provided with specialist training that is tailored to the day-to-day operations of their role.

3.2 Raising Awareness (Licence Holders)

Awareness of modern slavery among local businesses, including licensed premises, is still low or in some cases non-existent. Recent research by Alcumus, identified that one in five UK SMEs are unaware of the Modern Slavery Act 2015, with 46% of Small and Medium-sized Enterprises (SMEs) advocating for more specific information from the government on how to become compliant, which would encourage them to make it a higher priority on their business agenda.¹⁰ More could be done to educate local businesses on what modern slavery is and how it applies to individual businesses. The licensing sector is currently an untapped resource that could support that.

More could be done to educate local businesses on what modern slavery is and how it applies to individual businesses. The licensing sector is currently an untapped resource that could support that.

8 Two out of the 15 stakeholders sourced training which was delivered by the local police force. Four out of the 15 stakeholders worked with partner agencies and organisations to source and deliver their content. Training partners ranged from academic institutions (Wilberforce Institute at Hull University) to charities (Shiva Foundation and Hope for Justice) and other statutory and regulatory agencies (HMRC and GLAA). Four out of 15 stakeholders created e-learning modules on modern slavery. Eight out of 15 stakeholders used an internal training provider (e.g. the organisation's modern slavery coordinator or local authority community safety team members). Four out of 15 stakeholders used an external training provider (e.g. The police or sharing the Home Office's first responder modern slavery e-learning module). Only 1 out of the 15 stakeholders who delivered training explicitly mentioned going through some sort of quality assurance process. (For example, the Environment Agency shared their training with the National Crime Agency and requested for them to provide feedback on the training content).

9 Skills for Care, 'Training framework - Identification, care and support of victims and survivors of modern slavery and human trafficking', accessed on 22nd June 2023

10 Employer news (2021) – 'Significant gap in understanding and awareness of Modern Slavery leaves UK SMEs exposed', [Accessed 20 June 2023].

3.2.1 Modern Slavery Training and Guidance for Licence Holders

Local councils already have experience in delivering training to a variety of license holders. As highlighted in **Section 1 on National Policy and Legislation**, Licensing authorities now provide safeguarding guidance to both taxi drivers and private vehicle operators, following the release of the Statutory Taxi and Private Hire Vehicle Standards by the Department for Transport in July 2020.

Other examples of licence holders that have received training include hotels and night-time economy venues. It is therefore a reasonable step to embed modern slavery training into the training and advice offered by licensing authorities. It is recommended that councils target licensed premises with a higher risk of modern slavery, such as special treatments, hospitality and night-time economy venues.¹¹

Case Study (Watford): Watford Borough Council's mandatory training to taxi and private vehicle drivers includes provisions of a handbook and knowledge checks. (See Appendix 6 for the safeguarding and modern slavery section extracted from the Watford Borough Council Training Handbook). Feedback from licence holders on modern slavery training tends to be very positive. For example, taxi licence holders have reported being "more aware of safeguarding issues" and able to better spot "crimes and acts of abuse" as well as "inform the right authorities". They also disclosed a renewed commitment to being "more vigilant", aware of their surroundings and using "all the knowledge in their role as a taxi driver".¹²

Delivery of modern slavery training to licence holders by regulatory authorities as part of their normal engagement with local businesses would ensure that licence holders develop a basic understanding of: 1) the signs of modern slavery, 2) what steps to take to mitigate the risk to their business, 3) how to report any issues and 4) where to seek support with any potential cases identified. Training would therefore have a dramatic impact on improving awareness of modern slavery amongst local businesses, facilitating increased identification and prevention of modern slavery.

It is standard practice for licensing authorities to provide licence holders with guidance documents. Licensing authorities are in a prime position to raise awareness of modern slavery among local licence holders, given that engagement with these businesses is a standard part of their day-to-day role. As part of routine engagement with licence holders to support with raising awareness, modern slavery guidance should also be provided. There are number of pre-existing resources (general and sector specific) that could be used by regulatory authorities for this purpose and are free to download, including from Stronger Together¹³, Shiva Foundation and STOP THE TRAFFIK's joint SME Toolkit¹⁴

11 Out of 28 stakeholders who contributed to this project, just under 80% (n=22) confirmed that they had delivered training to at least one cohort of licence holders in their local area as part of their national remit.

12 Results are from an evaluation survey undertaken by taxi drivers who took part in these training sessions.

13 Stronger together, 'Resources', [Accessed 20 June 2023].

14 Shiva Foundation and STOP THE TRAFFIK, 'SME Toolkit', [Accessed 22 June 2023].

✔ **Recommendation 13:**

Extend **modern slavery training for licence-holders to high risk-licensed** premises.

✔ **Recommendation 14:**

Provide licence holders with modern slavery guidance documentation during routine visits and inspections. This guidance should provide information on different types of modern slavery, how to mitigate the risk and how to report concerns.

3.2.2 Publicity Materials

Publicity materials, including posters, leaflets, and business cards, help to raise awareness of modern slavery amongst the public, but also serve as a reminder to employees of their rights. Some councils have provided publicity materials to at least one cohort of licence holders in their local area as part of their national remit. Alongside taxi drivers and private vehicle operators, other examples of license holders that have been provided with publicity materials include hotels, night-time economy venues and special treatment venues.

The language used for the materials should also be reflective of the languages spoken by workers. Recognising the important role that publicity materials can play in educating workers and the public, the GLAA and the Modern Slavery and Exploitation Helpline have produced translated posters for workers. These are available online and free to download.¹⁵

Publicity materials help to raise awareness of modern slavery amongst the public, but also serve as a reminder to employees of their rights.

Case Study (Brighton and Hove): Brighton and Hove City Council provided local hotel and bed and breakfast licence holders with police leaflets on child sexual exploitation. The leaflets contained information on how the abuse manifests itself, the indicators, and the steps to be taken by managers if any staff encounter a potential victim. Whilst no reported cases following the provision of the packs have been reported, licensing teams have revisited those premises in person to find out whether any CSE issues have been identified and to assess whether staff awareness of this issue has increased.¹⁶

15 Example of free resources for download and share with local businesses: 1) GLAA Exploitation Posters (available in 12 foreign languages), 2) GLAA Know the Signs/Rights Industry Posters, 3) GLAA Workers' Checklist Poster (available in 5 foreign languages), 4) GLAA Workers' Rights Leaflets (available in 19 foreign languages), 5) GLAA Know Your Rights Podcast, 6) Modern Slavery and Exploitation Helpline Materials and 7) Stop the Traffik Spot the Sign Posters and Leaflets (Specific exploitation type and industry focus).

16 See Appendix 10 for a copy of the Sexual and Criminal Exploitation of Children: Guidance for Hotels and Bed and Breakfast.

Case study (Hammersmith and Fulham): The London Borough of Hammersmith and Fulham includes a modern slavery condition in all special treatment licences. This condition requires special treatment licence holders (such as massage parlours or sex entertainment venues) to ensure ‘a STOP THE TRAFFIK poster is on display in a prominent position where therapists and staff can see it’.¹⁷ The condition also stipulates that those posters should be available in different languages and, similarly to training, cover the main aspects of exploitation such as: 1) confiscation of identity documents, 2) threats, 3) control and monitoring of movements, 4) wage deductions; and 5) working and living conditions. When premises are inspected, compliance with this condition will be checked and non-compliance noted.¹⁸

✓ **Recommendation 15:**

Provide licence holders with publicity materials (in relevant foreign languages) on modern slavery which can be displayed publicly.

3.3 Partnership Working in Law Enforcement

Information sharing is nationally regarded as an effective way of facilitating successful multi-agency working. Sharing intelligence enables law enforcement professionals to better collaborate and tackle crime. As a result, most areas have strong pre-existing frameworks for information sharing. Many organisations are also part of anti-slavery partnerships and serious and organised crime meetings where cases can be shared and discussed. In its review of anti-slavery partnerships, the University of Nottingham revealed that just over 70% of them engage in intelligence sharing between partners.¹⁹



Several roundtable participants also mentioned the positive impact of close working relationships with agencies such as the police, GLAA fire and rescue services, health and safety etc.²⁰ These close relationships help to facilitate effective information sharing. A local authority licensing officer also added that: “Licensing is already well placed to assist. The key is intelligence sharing and where licensed businesses are found to be [engaging in] modern slavery, this needs to be fed back to the local authority”.²¹

17 STOP THE TRAFFIK, ‘Forced Labour – Massage Parlour Poster’. [Accessed 22 June 2023].

18 London Borough of Hammersmith and Fulham, ‘Massage and Special Treatment’. [Accessed 20 June 2023].

19 University of Nottingham Rights Lab (2019) ‘Partnerships for freedom: Improving multi-agency collaboration on modern slavery’. [Accessed 20 June 2023].

20 Around a third of stakeholders (n=11 out of 28) that contributed to this research emphasised the importance of information sharing within dedicated multi-agency forums (e.g., anti-slavery partnerships, working groups and subject specific forums).

21 Information from stakeholder interviews (May 2022).

3.3.1 Licensing Action Groups

Case Study (Hammersmith and Fulham): The London Borough of Hammersmith and Fulham (LBHF) currently runs a Licensing Action Group, which reviews new licensing applications and any premise complaints. LBHF highlighted that this forum is a “powerful way to share intelligence” as all responsible authorities are invited to this meeting. They discuss premises which have been subject to enforcement action and then determine the appropriate way to deal with them from a multi-agency perspective. Action plans to deal with problem premises are also often agreed at these meetings, including the scheduling of multi-agency visits.

By having the relevant law enforcement organisations present together to discuss areas or premises of concern, they can work more quickly to deal with crimes. Furthermore, by utilising these forums to work more closely together, resources and capacity can be shared to encourage the most efficient response.

Recommendation 16:

Establish **licensing action groups** to regularly review licensing applications and any licensing issues uncovered.

3.3.2 Joint Operations and Visits: Collaboration and Outcomes

Undertaking joint operations with relevant partners is an effective way to pool capacity and resources to ensure efficiency of response. By working together, agencies can ensure that no legal infringements are missed, and that the most suitable enforcement body takes the lead to get the best outcome for the investigation. In its review of anti-slavery partnerships, the University of Nottingham revealed that just under 55% engage in collaborative enforcement activities with partners.²² Understanding which enforcement bodies have which powers to enter premises and the sanctions at their disposal is important for successful disruption of perpetrators.²³ By working together, licensing reviews can be undertaken and licences can be revoked in cases where modern slavery is identified during a routine inspection or joint operation.²⁴

Case Study (Brighton and Hove): In December 2020, Brighton and Hove County Council received intelligence that Immigration Enforcement had identified several possible victims of modern slavery at a newsagent in Saltdean. Joint visits were carried out by the council licensing team, Sussex Police, Immigration Enforcement, and the council’s vulnerable person team. The agencies found staff living at the rear of the premises, working 6am to 7pm for £2 an hour. All their documentation had been taken from them and they were being threatened with deportation by the owners if they tried to leave. Following the visit, the newsagent had its premises licence reviewed and revoked because of the modern slavery offences identified.

22 University of Nottingham Rights Lab (2019) ‘Partnerships for freedom: Improving multi-agency collaboration on modern slavery’, p.19 [Accessed 20 June 2023].

23 Home Office (2021) ‘National Enforcement Powers Guide’, [Accessed 20 June 2023].

24 Just under a third of (n=8 out of 28) contributing stakeholders mentioned the positive impact of joint visits on effective multi-agency working.

During the investigations, a second newsagent in Portslade was also identified with links to the Saltdean newsagent. The licensing team found that the same individual was the licensee at both premises. A licence review hearing was scheduled but the Portslade newsagent chose to surrender its licence before the hearing took place. The Brighton and Hove licensing officer noted that the joint operations helped to facilitate an improved working relationship between the police and council licensing teams and has led to greater information sharing.²⁵

 **Recommendation 17:**

Engage in joint visits with other agencies to combat modern slavery.

3.3.3 Sanctions

3.3.3.1 Slavery and Tracking Prevention Orders and Slavery and Trafficking Risk Orders

There are two civil orders available under Part 2 of the Modern Slavery Act 2015 which can be applied to prevent those who pose a risk of harm from committing modern slavery offences in the future: 1) Slavery and Trafficking Prevention Orders (STPOs) and 2) Slavery and Trafficking Risk Orders (STROs). A breach of any aspect of an STPO or STRO or interim order is a criminal offence.

STPOs and STROs can be an effective sanction to deter licence holders from engaging in modern slavery practices at current or potential future licensed premises. However, their successful use relies on collaborative efforts with agencies such as the police, the National Crime Agency,

Immigration Enforcement, or GLAA Labour Abuse Prevention Officers, who can submit applications to the court. While only the police, courts, or GLAA officers can issue these orders, cooperation with these agencies allows licensing officers and councils to disrupt modern slavery and utilise different enforcement tools.

STPOs and STROs can be an effective sanction to deter licence holders from engaging in modern slavery practices at current or potential future licensed premises.

Case Study (Crawley & Mid Sussex): A car wash located in Crawley became a premise of interest to the Crawley & Mid Sussex Serious and Organised Crime Group. The premise had already been visited previously by environmental health officers who reported possible modern slavery indicators. Considering these concerns, the Crawley & Mid Sussex SOC Group coordinated a multi-agency investigation and a joint operation with the GLAA and other agencies took place soon after. During the operation, law enforcement partners found staff who spoke little English living on site. They were also working without PPE. Several health and safety infringements were identified, along with fraud offences.

As a result of these findings, a licence held by the owner was scheduled for review and revoked due to the fire safety violations identified. Local enforcement agencies then utilised the evidence found to apply for a Slavery and Trafficking Risk Order (STRO) against the Crawley car wash owner. This was granted. Reviewing the case during an interview, the West

²⁵ Case study taken from stakeholder interview (May 2022)

Sussex Council officer saw the successful STRO application against the car wash owner as being “a real success” because it meant that the car wash owner was prevented from employing anyone as a business owner for five years and would not be able exploit any more people without facing serious repercussions from the court.

This case demonstrates that such orders can be utilised as an effective tool for disrupting modern slavery and deter perpetrators from committing future offences. The lead licensing officer of this case argued that, in his experience, these orders were greatly underused locally due to a lack of awareness, their complexities, length of application process and the level of information required in the form for it to be considered in court. Additional training and awareness raising around STROs and STPOs to relevant agencies is necessary to bridge this gap and increase the use of these orders at a local level.²⁶

 **Recommendation 18:**

Encourage the use of prevention and risk orders among licensing teams in collaboration with relevant law enforcement partners.

²⁶ Four out of five stakeholders interviewed (who were specifically asked about STROs and STPOs) were not even aware of the existence of these orders, let alone how to apply for one in collaboration with relevant law enforcement agencies.

Section 3: Summary

This section emphasises the importance of capacity building, raising awareness among license holders, and fostering partnership working in law enforcement to combat modern slavery effectively. Enhancing safeguarding training for licensing officers and integrating modern slavery training for licensing committees are crucial steps. By extending training to high-risk licensed premises, providing guidance documentation, and offering multilingual publicity materials, licensing enforcement teams can educate businesses, promote accountability, and mitigate modern slavery risks. Establishing licensing action groups, conducting joint visits with other agencies, and utilising prevention and risk orders in collaboration with law enforcement partners enhance partnership working. Implementing these measures will enable practitioners to identify and address instances of modern slavery, deter perpetrators, and protect the well-being of those affected.

A photograph of two women sitting at a white conference table in a bright, modern office. The woman on the left has short grey hair and is wearing a brown blazer. The woman on the right has long dark hair and is wearing a white blouse with a grey knit vest. They are both looking at each other and appear to be in conversation. A laptop is open on the table between them. In the background, there are large windows and a blurred figure of another person walking. The overall atmosphere is professional and collaborative.

Concluding Remarks and Appendices

“ *Licensing Frameworks and teams provide an excellent opportunity to utilise existing frameworks to support anti-modern slavery efforts in line with the day-to-day roles of licensing authorities.* ”

Concluding Remarks and Appendices

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Concluding Remarks

The Modern Slavery Act 2015 led to significant improvements in the national and local response to tackling modern slavery, including an increase in the number of people affected by modern slavery and perpetrators being identified. This change is evidenced by several best practice case studies identified in this report. However, a more consistent, effective response is hindered by: 1) gaps in national and local policy; 2) gaps in agency capacity and resources as a result of a fragmented regulatory regime; and 3) low knowledge levels among statutory authorities and local businesses. These rectifiable barriers should be addressed to embed an effective anti-modern slavery response across the UK, and they can be.



Licensing frameworks and teams provide an excellent opportunity to utilise existing frameworks to support anti-modern slavery efforts in line with the day-to-day roles of licensing authorities. As evidenced in this report through the example of the Licensing Act 2003, national government amendments to relevant legislation and statutory guidance will lead to timely, robust and consistent reform of relevant local policies and frameworks.

To ensure effective, practical implementation of national and local policy, professionals must have a sufficient understanding of 1) modern slavery; 2) their responsibilities in tackling it; 3) the tools available to deter and disrupt it; and 4) which agencies and organisations to collaborate with and how. If the recommendations in this report are acted upon, they will have a significant impact in addressing modern slavery abuses.

Related to this, knowledge levels of modern slavery are intrinsically linked to understanding and engagement of this issue by local businesses. As the interface between policy and practical implementation, officers and inspectors are best placed to provide practical support, knowledge and guidance to local businesses. This is the final step change that will facilitate a shift in approach from a mainly reactive response to tackling modern slavery to a more proactive and preventative one. If national government guides these changes, it will better equip licensing authorities to address this issue locally. More modern slavery cases will be identified, and people affected by modern slavery will be able to access support, and traffickers will be brought to justice.

Appendices

Appendix 1: Key Terminology

Terminology	Definition
Environmental Health	An organisation responsible for promoting and safeguarding public health by managing and enforcing regulations related to environmental factors that can impact human well-being, such as food safety, air quality, sanitation, and pollution control.
Licensable Activity	An activity or business operation that requires obtaining a license or permit from a regulatory authority in order to legally operate or provide certain services.
Licensing Conditions	Specific terms and requirements, or restrictions that are attached to a licence. These conditions must be met by individuals or organizations holding a license in order to ensure compliance with regulatory standards and maintain public safety or welfare.
Licensing Authorities	Government or regulatory bodies responsible for granting, monitoring, and enforcing licenses in specific industries or sectors.
Licensing Framework	A structured set of rules, regulations, and procedures that govern the process of granting and managing licenses within a particular jurisdiction.
Model conditions	A list of conditions that serve as a reference or template for licenses, typically providing a consistent framework for compliance.
Modern slavery	The exploitation and control of individuals through various forms of forced labor, human trafficking, debt bondage, or other forms of servitude in violation of their human rights.
National Referral Mechanism	The UK's formal system to identify and assist victims of human trafficking and modern slavery, ensuring they receive appropriate support and access to specialized services.
Primary Legislation	The fundamental laws and statutes enacted by a legislative body, typically representing the highest level of legal authority and providing the framework for subsequent regulations and legal instruments.
Statutory Guidance	Official guidance documents issued by relevant authorities to provide interpretation, clarification, and practical advice on how to comply with specific statutory obligations or requirements.

Appendix 2: Examples of activities undertaken in collaboration with local authority licensing departments as part of our role as HMSP coordinator included:

- **Activity 1 - A Public Awareness Campaign on Taxis (July-October 2018):** Produced publicity materials (A5 flyer, air freshener and window sticker) which were disseminated through local licensing officers (local authorities and police) to taxi/private vehicle operators and drivers across the county.
- **Activity 2 - A Licensing Workshop (January 2019):** Delivered a licensing focused modern slavery workshop to licensing leads across all 11 local authorities in Hertfordshire in collaboration with Hertfordshire Constabulary and the Modern Slavery and Exploitation Helpline.
- **Activity 3 – Modern Slavery Content in Local Licensing Policies (2018-2021):** Supported five local authorities with embedding modern slavery content in local licensing policies/frameworks in line with prescribed consultation periods.

(These policies include: 1) Hertsmere Borough Council: Statement of Licensing Policy; 2) Watford Borough Council: Taxi and Private Hire Strategy 2020-2035 (the draft can be viewed online); 3) Dacorum Borough Council: Taxi and Private Hire Licensing Policy and 4) Dacorum Borough Council: Statement of licensing policy 2021-2026; 5) East Hertfordshire District Council: Statement of Licensing Policy 2021-2026; and 6) Broxbourne Borough Council: Licensing Act 2003 Statement of Licensing Policy 2021-2026)

- **Activity 4 – Specialist Training to the Environment Agency (January 2020):** Delivered specialist modern slavery-waste training to the Environment Agency (Hertfordshire and North London Team) in collaboration with the GLAA and Stop the Traffik.
- **Activity 5 – Regional Licensing Group Support (2018-2021):** Delivered inputs and provided support to the Hertfordshire and Bedfordshire Licensing Group.

Appendix 3: Modern Slavery Content extracted from Broxbourne Borough Council's Gambling ACT 2005 Statement of Licensing Policy 2022 - 2025¹

The licensing authority acknowledges the duties, requirements and obligations placed on it in respect of the application of this statement as a public body and the statutory duty to consider the following legislative requirements:

Crime and Disorder Act 1998

Local authorities are required to make due regard to the crime and disorder implications of any decision it makes.

Human Rights Act 1998

Local authorities are required to implement the Act in a manner consistent with the Human Rights Act 1998.

¹ For contrast, view Broxbourne's 2019 – 2022 policy. Borough of Broxbourne (2019) Borough of Broxbourne Gambling Act 2005 Statement of licensing policy 2019 – 2022: <https://www.broxbourne.gov.uk/downloads/file/646/ms-2018-12-11-licensing-gamblingstatementofprinciples2019-22>

Equality Act 2010

Local authorities are required to implement the Act in a manner consistent with its responsibilities to consider the equality implications of any decision it makes.

Protecting Children, Young People and Adults at Risk

The Council believes that all licensed premises have a responsibility to ensure that safeguarding is a key priority for all businesses in respect of staff, customers and any person in the vicinity of the premises.

All business owners and management should sufficiently understand safeguarding matters including, but not limited to:

- gangs and knife crime;
- county lines;
- **modern day slavery;**
- **child sexual exploitation;**
- supply, distribution or taking of illegal substances;

to enable them to spot warning signs of any safeguarding matter and know who to report it to.

Information and training materials can be found on the websites of Hertfordshire County Council and Hertfordshire Police.

Applicants and licence holders are encouraged to ensure that suitable management controls are in place to address potential safeguarding concerns. Measures could include, but would not be limited to:

- awareness training for staff, including indicators to look out for;
- regular patrols of the premises, including external areas and the immediate proximity, to identify any vulnerable persons;
- close monitoring of patrons as they leave the premises;
- recording and reporting concerns to the police;
- implementing suitable safeguarding policies and procedures.

Safeguarding Against Child Sexual Exploitation

The Council acknowledges that child sexual exploitation (CSE) awareness does not just apply to children on licensed premises, particularly as children are not permitted access to most gambling premises. Applicants and licence holders should be equally aware of children in the proximity of the premises that may be waiting for, or seeking older persons.

Applicants and licence holders are encouraged to ensure that suitable management controls are in place to safeguard children against the risk of CSE. Measures may include, but are not limited to:

- awareness training for staff;
- regular patrols of the premises, including external areas and the immediate proximity, to identify any vulnerable children;
- close monitoring of patrons as they leave the premises;
- recording and reporting concerns to the police.

Appendix 4: Modern Slavery Content extracted from Dacorum Borough Council's Tax and Private Licensing Policy 20212

Exploitation and Modern Slavery

Taxi and private vehicle operators and proprietors must be aware of and meeting their obligations under all relevant legislation, including the Modern Slavery Act 2015, The Conduct of Employment Agencies and Employment Businesses Regulations 2003 and the National Minimum Wage Act 1998.

1.1 Overview

Modern slavery happens everywhere, including here in the UK. It operates in plain sight and can affect businesses without them even knowing. As covered within this strategy, drivers are on the frontline and may identify issues, which should be reported. However, it is also crucial that all businesses, including taxi and private vehicle operators, understand how they might be affected so that they can take steps to reduce the risk. Exploitation accounts for all situations that stray away from 'decent work', from labour market infringements and abuse, all the way to more severe forms of exploitation.

1.2 Examples of labour market infringements that have been known to be experienced by drivers include: 1) Long hours, 2) insufficient pay (e.g. non-payment of minimum wage), 3) poor working conditions, 4) bogus self-employment; and 5) control by an unscrupulous third-party agency.

1.3 Other examples of labour market infringements include: 1) Lack of personal protective equipment (PPE); 2) Few or no breaks; 3) Demeaning treatment; 4) Retention of identity documents or valuable possessions, 5) Restriction of movement or confinement to the workplace; and 6) Threat of denunciation to authorities (mainly illegal migrant workers).

1.4 There are also specific examples of practice that sometimes occur within taxi and private hire businesses, which can create vulnerability and increase the risk of exploitation of drivers and office staff. Subcontracting of private hire vehicles is a common practice used by licensed operators during peak times but results in more opacity in terms of worker welfare because the operator will be using drivers that it doesn't directly employ in this scenario. Taxi drivers can experience It is important that licensed operators take account of their own anti-slavery policies and practices, as well as those of subcontractors and third-party agencies.

1.5 In line with being a signatory of the [Modern Slavery Charter](#), the Council is committed to ensuring that there is no exploitation in its supply chains. In the same vein, it also committed to ensuring that there are no exploitative practices taking place in Dacorum by any local businesses. The council expects all taxi and private vehicle operators to operate in line with UK labour laws. If an incident were discovered and it was clear that no prior action had been taken to prevent or mitigate the risk of exploitation, this would prompt an investigation by the council. Appropriate enforcement action may be taken, where complaints of such are substantiated. Dependent upon the severity and circumstances of such incidents, action may include prosecution and/or suspension or revocation of licences.

1.6 Taxi and private vehicle operators should work to prevent labour exploitation and modern slavery by taking steps to mitigate the risks of exploitation and undertaking effective due diligence. This

2 Dacorum Borough Council (2021) Taxi and Private Hire Licensing Policy, part D, section 35: [http://www.dacorum.gov.uk/docs/default-source/licensing-documents/taxi/final-taxi-licensing-policy-\(1-4mb\).pdf?sfvrsn=89ac029e_2](http://www.dacorum.gov.uk/docs/default-source/licensing-documents/taxi/final-taxi-licensing-policy-(1-4mb).pdf?sfvrsn=89ac029e_2)

includes 1) promoting awareness of worker rights, 2) encouraging reporting of concerns by drivers and head office staff, by creating a clear internal reporting pathway that is understood by workers, 3) conducting internal checks and checks of subcontractors and 4) committing to upholding high ethical standards.

All worker communications should be translated into the languages that make up the operator's workforce. (For more information on how to undertake these steps, see the [Modern Slavery SME Toolkit](#))

1.7 The council is working towards updating the license application form to include a section for operators to demonstrate how their business is or will take steps to reduce the risks of exploitation/modern slavery of staff and drivers, including confirming use of any third-party agencies (agencies include those used for recruitment, temporary employment, and services). Supporting this, we encourage all taxi operators to produce modern slavery transparency statements, which would publicly demonstrate the company's commitment to this. The council will publish its own modern slavery statement by the end of 2021.

1.8 Section 54 of the Modern Slavery Act 2015 requires companies with a turnover of more than £36 million to produce a modern slavery transparency statement. This statement should detail what steps have been taken prevent exploitation within its company and supply chain. Any taxi or private vehicle operators that meet this requirement must register the statement on the [UK Government portal](#) and provide a copy to the council as part of any new license application.

1.9 Taxi and private vehicle operators should ensure the following at a minimum in order to mitigate risk of exploitation among its workers: 1) provide every worker with a written contract in a language they understand detailing working hours, pay/overtime rates, deductions (if any), holiday and sick pay entitlements and accommodation arrangements (if relevant), 2) ensure clear reporting channels for grievances and whistleblowing and that workers are made aware of these procedures, 3) check payroll to ensure worker's wages are paid directly to them, that workers are being paid the national minimum wage at a minimum, and that no workers have paid any fees related to their recruitment, 4) raise awareness of the signs of exploitation with workers. It is important to ensure that any independent contractors (e.g. self-employed taxi drivers) are in fact agreeing to a fair contract and where work, fare and contract termination are agreed by both parties.

1.10 Taxi and private vehicle operators should also conduct effective due diligence of any third-party agencies. Due diligence should be conducted on all agencies before working with them to ascertain what standards they have in place to protect workers. Checks should later be conducted directly with workers to ensure the agency is upholding the agreed standard.

1.11 Before working with a third-party agency, taxi and private vehicle operators should always check that:

- 1.11.1. The company is licensed to provide temporary labour to the hackney carriage and private hire vehicle sector.
- 1.11.2 The company's directors are not listed on the Employment Agency Standards Inspectorate's list of people that have been prohibited from running an employment agency/business due to past misconduct.
- 1.11.3 The company only subcontracts with an operator's authorisation and conducts their own due diligence on subcontractors when we give permission to subcontract.

- 1.11.4 The company has a clear commitment to not charging recruitment fees and to covering the cost of recruitment when sourcing workers from overseas.
- 1.11.5 The company has an accessible and transparent reporting mechanism that all workers can use to report concerns or issues.
- 1.11.6 The company provides information to their workers on what optional services they offer, how much they cost, and how the workers can refuse or cancel them without penalty.

1.12 In the course of working with a third-party provider of drivers, taxi and private hire operators should periodically review a sample of driver's key documents to ensure required labour standards are being met. Key documents to be reviewed could include: 1) payslips (i.e. to check that the number of hours match operator records, that all workers are being paid at least the NMW, that optional services are clearly indicated, and that correct taxes and national insurance contributions are being paid); and 2) right to work checks. Additionally, taxi and private hire operators are encouraged to speak with all workers directly, on occasion, to ascertain if any labour market infringements have been made.

1.13 If a taxi or private vehicle operator identifies any concerns or irregularities, they should discuss this with the third-party agency to ensure they are rectified. If the agency refuses or fails to rectify the issues, the taxi or private vehicle operator should report their concerns to the council licensing team and to the Gangmasters and Labour Abuse Authority (GLAA): 0800 432 0804.

1.14 If a taxi or private vehicle operator wishes to seek advice or report concerns anonymously, then they can contact the 24/7 Modern Slavery and Exploitation Helpline on 08000 121 700 or via their website. This information should be shared with workers as well who may wish to report concerns.

Appendix 5: Borough of Hertsmere Embedded a Modern Slavery Section in their Statement of Licensing Policy Under the Licensing Act 2003, Section 6

Modern slavery is a crime. The UK Modern Slavery Act 2015 includes the following under the offence of modern slavery:

- Slavery, where ownership is exercised over a person,
- Servitude, where a person is obliged to provide services imposed by coercion,
- Forced or compulsory labour, which involves work extracted under the menace of penalty and for which the person has not offered himself voluntarily, and
- Human trafficking, which involves the movement of people by means such as force, fraud, coercion or deception with the aim of exploiting them.

In the UK, estimates go as high as 136,000 when quantifying the number of hidden victims living in conditions of slavery. In the European hospitality sector, which includes bars and restaurants, a recent study found 110,000 victims of exploitation annually. Government agencies in the UK have specifically identified hospitality as a high-risk area for modern slavery.

Licensed premises might be unwitting hosts to modern slavery in two ways:

1. Victims and their traffickers visiting the establishment. Sexual exploitation and forced criminality would be the most common forms identified in this way.
2. Staff being recruited through unscrupulous means, leaving them trapped and/or indebted to a trafficker.

Identification and Reporting

Staff at licensed premises can have the power to identify and report any exploitation they encounter. A licence holder may ensure awareness of modern slavery by:

- Identifying any risks at the premises and working with relevant business partners and suppliers (i.e. recruitment agencies) to mitigate such risk.
- Actively informing those working on the premises of their rights and how they can confidentially seek help or advice on modern slavery if required.
- Provide regular training to all staff on the indicators of modern slavery and how to report concerns.
- Establishing strong relationships with local police and victims service providers, such as the national Modern Slavery Helpline (0800 0121 700), in advance of any incident.

Reporting Protocols

Having **clear and straightforward protocols** for when an incident is discovered is crucial to ensure that victims get appropriate support. Where employees identify a potential victim, they can follow a **specific internal procedure** in order to protect the safety of that individual.

The procedure should **1) not be overly complex, 2) should involve senior level staff and 3) should account for when reporting should go immediately to the police** (i.e. if certain indicators are met, if the potential victim is in immediate danger, if the potential victim is a child).

The Modern Slavery Helpline (0800 0121 700) can provide support to anyone who has a suspicion and would like some guidance on next steps, 24 hours a day.

Useful Resources

- Blueprint training (<https://shivafoundation.org.uk/our-work/stop-slavery-blueprint/#section5>)
- Indicator list (https://shivafoundation.org.uk/wp-content/uploads/2022/11/18_SF_SSB_Sec05_Indicator-List.pdf)
- Example policies (<https://shivafoundation.org.uk/our-work/stop-slavery-blueprint/#section2>)

Appendix 6: Modern Slavery content extracted from Watford Borough Council's Mandatory Training for Taxi Drivers Handbook

Safeguarding

Over the past few years there has been a significant increase of focus on the role of drivers in 'safeguarding' taxi and private hire passengers. Safeguarding is a broad term and it may be more helpful for you to think about it as 'looking after people'. As 'fit and proper' people drivers have always been expected to look after people. The only change to this now is that you are being given more information on how you can do this effectively and safely. If you do not think you want to do this you should consider very carefully whether applying for a licence is the right decision for you.

There are different types of safe-guarding concerns that you may be able to help us with. We need you to help to spot and report any concerns about the following:

- Child Sexual Exploitation
- Modern Slavery and Human Trafficking
- Drug Dealing through 'County Lines'
- Extremism

Over the next few pages, you will be given some outline information on each of these; what they are, how to spot them and how to report them. You will be given more detailed information as part of the training package attached to this handbook.

Particular care should be taken when carrying children and young people, especially when they are not accompanied by an adult. Although there will usually be a perfectly ordinary reason for them travelling, we ask drivers to remain vigilant to any unusual circumstances or signs that things are not right.

Any person under 18 is legally classified as a child. Drivers who have concerns about the safety of any child travelling in their vehicle are asked to report those concerns to the police by dialling 101, or in an emergency, 999.

General concerns may include:

- Picking up a child or young person late at night
- Picking up a child or young person who appears to be under the influence of drink or drugs
- Picking up or dropping off a young person at a location that seems inappropriate such as a hotel

Remember, you may not think it is your business but this person may need your help to escape a bad situation.

Modern Slavery and Human Trafficking

Modern Slavery describes a situation where a person is forced to work – through coercion or mental or physical threat.

They may be owned or controlled by an 'employer', through mental or physical abuse or the threat of abuse, dehumanised and treated as a commodity or bought and sold as 'property'.

They may be physically constrained or have restrictions placed on their freedom of movement but often the restrictions they face are the result of mental abuse.

Use this checklist if you have concerns that your passenger(s) may be victims of Modern Slavery and Human Trafficking:

Physical appearance

- Is fearful, anxious, depressed, submissive, tense, or nervous/paranoid.
- Exhibits unusually fearful or anxious behaviour/Appear withdrawn/Avoids eye contact.
- Appears malnourished.
- Shows signs of physical and/or sexual abuse, physical restraint, confinement, or torture.

Isolation

- Who else is travelling with the person?
- Not allowed to travel on their own.
- Rarely interacts with others.
- Unfamiliar with their neighbourhood or where they work.
- Seem under the control of others.

Lack of control

- who booked the journey?
- Has few or no personal possessions.
- Is not allowed or able to speak for themselves (a third party may insist on being present and/or translating).
- May wear the same clothes every day or wear clothes that are inappropriate for the work being done.

Poor living conditions

- where are you picking up and dropping off?
- Dirty cramped environment.
- Over-crowded accommodation.
- Living and working at the same place.

Unusual travel times

- Maybe dropped off and collected for work on a regular basis either very early or late at night.

Drug Dealing through 'County Lines'

'County Lines' describes an operational method through which gangs and organised crime networks exploit children and vulnerable adults to sell drugs.

Often these children and adults are made to travel across counties away from larger Towns and Cities where they are placed in smaller towns and rural areas. The "County Line" is the mobile phone line used to take orders for drugs.

The controlling gangs are based in large cities many miles from the front line supply. They are insulated from the risk of selling and enforce these structures with extreme violence.

Use this checklist if you have concerns that your passenger(s) may be victims of 'County Lines':

- A child or young person going missing from school – they are in your vehicle and it is school time.
- A child or young person going missing from home or significant changes in emotional well-being
- A young person meeting adults in strange circumstances
- A change to the behaviour of children you know well
- The use of drugs and alcohol in your vehicle
- Young people or children acquiring or showing money or expensive gifts where you think it seems unlikely they could account for how they got them.
- Lone children from outside of the area travelling at strange times of day and paying in cash from large denomination bank notes.
- Individuals with multiple mobile phones or tablets or 'SIM cards'
- Young people with more money, expensive clothing, or accessories than they can account for
- Unknown or suspicious looking characters coming and going from a houses you regularly drop off or pick up from
- Young people in relationships with controlling or older individuals or associated with gangs
- A suspicion of self-harm, physical assault or unexplained injuries

Appendix 7: List of Roundtable Attendees

Local, Licensing or Regulatory Authority	Department/Role
Hackney Council	Taxi Licensing
Three Rivers District Council	Licensing Team
Mid Sussex District Council	Licensing Team
Chichester Council	Licensing Team
Department for Business, Energy and Industrial Strategy	Employment Agency Standards
East Herts District Council	Licensing and Enforcement President for Hertfordshire and Bedfordshire Licensing Group
St Albans City and District Council	Licensing Officer Vice President for Hertfordshire and Bedfordshire Licensing Group
Broxbourne Council	Environmental health
Chichester Council	Licensing Team
Brighton & Hove Council	Licensing & Trading standards
Environment Agency	Environmental Crime
West Sussex County Council	Supplier relationships
Hampshire & Isle of Wight	Modern Slavery Coordinator
Westminster City Council	Head of Licensing and Regulatory Services
Royal Borough of Kensington and Chelsea	Licensing Enforcement Officer
Royal Borough of Kensington and Chelsea	Modern Slavery and Exploitation Coordinator Bi-Borough
London Borough of Hammersmith and Fulham	Environmental health
London Borough of Hammersmith and Fulham	Environmental health
West Sussex County Council	Trading Standards
West Sussex County Council	Community Safety and Wellbeing
West Sussex County Council	Community Safety and Wellbeing
Shiva Foundation	
Hull City Council	Planning Enforcement
West Sussex County Council	Fire and Rescue Services
Gangmaster and Labour Abuse Authority	Senior Licensing Officer
STOP THE TRAFFIK	
Birmingham City Council	Environmental health
London Borough of Hammersmith and Fulham	Licensing enforcement

Appendix 8: Key Licensing Actions Undertaken by Licensing Authorities

Licensing Authority	Key Licensing Actions
Birmingham City Council	Training for licensing teams
Brighton and Hove City Council	Joint operations to raise awareness of modern slavery including modern slavery wording in licensing policy
Environment Agency	Dedicated modern slavery e-learning course
Hampshire County Council	Training for Portsmouth Housing Regulation team
Hertsmere Borough Council	Modern slavery wording in their licensing policy
London Borough of Hammersmith and Fulham (LBHF)	Modern slavery wording in their special treatment licence policy and their multi-agency licensing group.
London Borough of Kensington and Chelsea (LBKC)	Embedded modern slavery focused frameworks for inspection of licensed premises.
Westminster City Council:	Supplementary documents on modern slavery to support licensing policy
West Sussex County Council	Training for fire and rescue services and taxi drivers and joint operations with local partnership groups.

Appendix 9: Questions asked by Royal Borough of Kensington and Chelsea when dealing with suspected brothels

For Manager or Person in Charge

- Who owns the business?
- What is your position here today? Are you the person in charge?
- If you are not the licensee may I see the written notification that you are in charge of the premises today?
- Where is the prominently displayed notice stating that you are in charge of the premises today?
- Who takes payment for services offered?
- What services are offered?
- How is payment taken?
- What account are cash/card payments paid in to?
- How many therapists work here?
- Are they employed directly or self- employed?
- Can you show me records of salary payments to the therapists (if employed directly)?
- Where do the therapists keep their personal belongings? Do they have lockers etc.?
- Where do you advertise your business?
- What qualifications do your therapists have?
- Do you have copies of your therapists' qualifications?
- Are therapists qualified to carry out the services offered?
- Are any sexual services provided by therapists?
- Have checks been done on the immigration status of employees as required by the Home Office?
- Do you have copies of passports/visas/documentation proving employees' entitlement to work?
- What are the operating times of the premises?
- Can I see the appointments diary?

- Can I see the clients' medical questionnaires that you are required to keep?
- Can I see your records of the names, addresses and dates of birth of all persons receiving licensable treatments today and yesterday?
- How many clients are in the premises now receiving treatments? (Check against appointments diary)
- How many therapists are working in the premises now?

Question For Therapists

- How long have you worked here?
- How did you find out about this job?
- Do you have a contract of employment with the operator?
- What treatments do you provide?
- What qualifications do you have?
- Where did you do your training?
- Do qualifications match the therapies offered?
- Do clients directly pay you any money?
- If yes, what for?
- How do they pay?
- What do they pay you for?
- Are you a salaried member of staff or self- employed?
- How do you get paid by your employer?
- Do you offer any sexual services to clients?
- Are you working here of your own free will?

Appendix 10: Brighton and Hove's Child Sexual and Criminal Exploitation of Children: Guidance for Hotels and Bed and Breakfasts

Sexual and Criminal Exploitation of Children. Guidance for Hotels and Bed and Breakfasts



What is Child Sexual Exploitation?

Child sexual exploitation (CSE) is a form of child sexual abuse. It occurs where an individual or group takes advantage of an imbalance of power to coerce, manipulate or deceive a child or young person under the age of 18 into sexual activity:

- (a) In exchange for something the victim needs or wants, and/or
- (b) For the financial advantage or increased status of the perpetrator or facilitator. The victim may have been sexually exploited even if the sexual activity appears consensual.

Child sexual exploitation does not always involve physical contact; it can also occur through the use of technology. Like all forms of child sexual abuse, child sexual exploitation:



- Can affect any child or young person (male or female) under the age of 18 years, including 16- and 17-year olds who can legally consent to have sex.
- Can still be abuse even if the sexual activity appears consensual.
- Can include both contact (penetrative and non-penetrative acts) and non-contact sexual activity.
- Can take place in person or via technology, or a combination of both.
- Can involve force and/or enticement-based methods of compliance and may, or may not, be accompanied by violence or threats of violence.
- May occur without the child or young person's immediate knowledge (through others copying videos or images they have created and posting on social media, for example).
- Can be perpetrated by individuals or groups, males or females, and children or adults. The abuse can be a one-off occurrence or a series of incidents over time, and range from opportunistic to complex organised abuse.
- Is typified by some form of power imbalance in favour of those perpetrating the abuse. Whilst age may be the most obvious, this power imbalance can also be due to a range of other factors including gender, sexual identity, cognitive ability, physical strength, status, and access to economic or other resources.

It is important to remember that child sexual exploitation is never the victim's fault, even if there is some form of exchange: all children and young people under the age of 18 have a right to be safe and should be protected from harm.



What is Criminal Exploitation of Children?

Criminal exploitation of children and vulnerable adults is a geographically widespread form of harm that is a typical feature of county lines activity.

County lines is the police term for urban gangs supplying drugs to suburban areas and market and coastal towns using dedicated mobile phone lines or “deal lines”.

It involves child criminal exploitation (CCE) as gangs use children and vulnerable people to move drugs and money.



How does it affect young people and vulnerable adults?



Like other forms of abuse and exploitation, county lines exploitation:

- Can affect any child or young person (male or female) under the age of 18 years.
- Can affect any vulnerable adult over the age of 18 years.
- Can still be exploitation even if the activity appears consensual.
- Can involve force and/or enticement-based methods of compliance and is often accompanied by violence or threats of violence.
- Can be perpetrated by individuals or groups, males or females, and young people or adults.
- Is typified by some form of power imbalance in favour of those perpetrating the exploitation.

Whilst age may be the most obvious, this power imbalance can also be due to a range of other factors including gender, cognitive ability, physical strength, status, and access to economic or other resources.

One of the key factors found in most cases of county lines exploitation is the presence of some form of exchange (e.g. carrying drugs in return for something). Where it is the victim who is offered, promised or given something they need or want, the exchange can include both tangible (such as money, drugs or clothes) and intangible rewards (such as status, protection or perceived friendship or affection). It is important to remember the unequal power dynamic within which this exchange occurs and to remember that the receipt of something by a young person or vulnerable adult does not make them any less of a victim. It is also important to note that the prevention of something negative can also fulfil the requirement for exchange, for example a young person who engages in county lines activity to stop someone carrying out a threat to harm his/her family.

What do Hotel Managers need to know about the exploitation of children?

Hotels and Bed and Breakfast establishments are often used as a place to exploit and abuse victims.

There are a number of criminal offences associated with child exploitation which could have damaging consequences for a hospitality business, including a possibility of prosecution, action being taken against a premises licence and reputational and/or financial damage.

It is the responsibility of premises license holders and their managers to make sure that suitable control measures are in place at licensed venues for the protection of children from harm.

This is a legal requirement under the Licensing Act 2003 and there are legal implications if you do not have safeguards in place or fail to act if sexual exploitation of children occurs, or is believed to have occurred, on your premises.

Under Section 116 of the Anti-Social Behaviour, Crime and Policing Act 2014 the Police have powers to serve a notice on a hotel owner, operator or manager requiring guest information in connection with child exploitation. This notice can be served when an officer reasonably believes a hotel premises has been or will be used for the purposes of:

- (a) Child sexual exploitation.
- (b) Conduct that is preparatory to, or otherwise connected with, child sexual exploitation.



What actions are required to protect your business?

You should accurately record the details of anyone staying within your establishment (name, address, telephone number and date of birth) and check and record a copy of photo identification of guests. If you do not provide accurate records to the Police upon their request, you may be prosecuted by the courts and issued with a fine not exceeding £2500.

Indicators that a child may be being exploited sexually or criminally

- Guests accessing an unusual amount of pornography (TV or computer)
- Guests who appear secretive about who they are with and/or activities in their room
- Young person who appears withdrawn, afraid, or frightened
- Young person who appears under the control or instruction of another
- High traffic to a guest room
- Repeat visitors to the hotel at irregular hours /during the night
- Young person(s) checking in with an adult or group of adults
- Young people meeting others in public areas /external areas of the hotel
- Young people clearly under the influence of alcohol or drugs
- Lots of male visitors to a room
- Noise complaints
- Evidence of alcohol, drug, or substance misuse and/or condom wrappers
- Signs of a 'party' being held in the room
- Guests who appear secretive about activities in their room, who don't want rooms cleaned and/or use the 'do not disturb' sign
- Multiple visitors, who are not guests at the hotel, visiting a room
- Signs of sexual activity having taken place in a room where young people have stayed or visited

If you think the young person is at immediate risk of harm,
call 999 to report your concern

Offer support to the young person:

- Ask if they are ok
- Don't serve them any alcohol or allow anyone to buy them another drink. Check that they are not receiving unwanted attention
- Check whether they know who they are with and if they feel safe being/leaving with them
- Offer to call a licensed taxi for them
- Offer to call a parent/carer
- Ask CCTV to monitor them

Other actions to consider:

- Download and secure any CCTV
- Identify methods of payments i.e. cash/credit/debit cards
- Secure any information regarding key card usage for the rooms
- Secure any information regarding items left behind
- Secure the hotel room(s) until police arrive
- Report any relevant vehicle registrations

SAFEGUARDING CHECKLIST

- Nominate a safeguarding representative**
- Keep refusal records**
- Maintain an incident logbook**
- Encourage staff to make eye contact and engage in conversation to inquire about the reason for guests' visit or stay**
- Distribute and display exploitation literature and materials in staff areas**
- Undertake age verification checks**
- Only accept photo ID**
- Restrict unregistered persons in guest rooms between 11pm and 7am**
- Install CCTV monitoring and retain CCTV recordings**
- Require visitors to use the main entrance to the premises**
- Share information and intelligence appropriately**
- Report suspicious activity to local police**
- Include child exploitation in your business risk assessment**
- Undertake patrols (walk hallways and perimeter)**

Remember you can also share information via Crimestoppers:
crimestoppers-uk.org/give-information/give-information-online

CrimeStoppers.
0800 555111
100% anonymous. Always.

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Child Sexual Exploitation: What to look out for

- Adult guests who appear secretive about their visit or are trying to conceal that they are with a young person
- Adult guests refusing to leave credit card imprint and paying in cash
- Adult guests requesting a room that is isolated
- Guests who move in and out of the premises regularly at unusual hours
- Young people who appear under the control or instruction of others
- Young people clearly under the influence of alcohol or drugs
- Signs of sexual activity having taken place in a room where young people have stayed or visited

- Numerous adults and young people coming to the hotel who do not appear to have a reason for being there or high levels of visitors to a guest room
- Guests arriving and asking for a specific room number without knowing the name of the person who the room is booked under
- Adult guests who don't want their room cleaned or visited

DON'T IGNORE THAT GUT FEELING. IF SOMETHING DOESN'T SEEM RIGHT.

SAY SOMETHING IF YOU SEE SOMETHING

Report online at www.sussex.police.uk or call 101 and quote Operation Makesafe. In an emergency always call 999.

Find us on social media    

Appendix 11: Inspecting HMOs

Local fire and rescue service fire safety teams have the remit to conduct inspections at several different types of premises, including care homes, high-risk residential buildings, licenced premises, high-risk public spaces and events with large numbers of people. Local authority housing officers also have authority to inspect specific types of properties where house occupancy reaches a certain level: commonly referred to as housing in multiple occupation (HMOs). Officers are expected to ensure all information provided in the licence application is correct, that the licence is adhered to and to identify any deficiencies that might exist.



Inspecting HMOs

Exploring HMOs in a bit more detail, it is widely accepted that they are at a high risk of enabling modern slavery, with property owners found to be effectively running a business linked to accommodation provision. This business model enables a blurring of boundaries, with the employer offering supposedly 'free' accommodation, which is either paid for via deductions in the worker's wages or as a reason for non-payment of any wages. Frontline staff or inspectors visiting HMOs and conducting relevant office checks may encounter a number of modern slavery indicators including:

1. National insurance numbers registered to multiple workers.
2. The number of residents living on the premises (not just registered to the premises) far outweighs the capacity of the property.
3. Excessive use of rear entrances.
4. A house manager is often referred to as a 'lieutenant' who collects all the money.
5. Mattresses on the floor without bed frames.
6. Poor cleanliness of the property (i.e. insect or rodent infestations)
7. Up to four bank accounts registered to each worker.

Possible questions to be asked by officers during an inspection to support with identifying possible signs of modern slavery could include:

- Do you have your own key to the house? Can I see it?
- Do you have a comfortable sleeping arrangement?
- Can you please confirm the address of this house?
- Can you please confirm your work address?
- Is your accommodation provided by your employer?



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