

MODERN SLAVERY:

ADULT PRE-NRM CASEWORK TOOLKIT

This document has been produced in partnership with SIFA Fireside, West Midlands Anti-Slavery Network, and Birmingham City Council.

The logo for SIFA fireside, featuring the text "SIFA" in a large, white, sans-serif font above the word "fireside" in a smaller, white, sans-serif font, both set against a solid red square background.

SIFA
fireside

The logo for the West Midlands Anti-Slavery Network, consisting of a circular emblem with a grey border. Inside the circle, the words "WEST MIDLANDS ANTI SLAVERY" are stacked in a dark red, sans-serif font, with "NETWORK" centered below them in the same font and color.

**WEST
MIDLANDS
ANTI SLAVERY
NETWORK**



Birmingham
City Council

Toolkit Overview

This Casework Toolkit is designed as a series of interactive sheets, and should be stored as a PDF. Practitioners can then print off the specific relevant pages that they need when they are working with someone who may have experienced exploitation. Completed sheets should be stored with consent and in line with your confidentiality policy. Survivors should be offered copies of sheets for their own records if safe for them to hold. Please ensure that this toolkit is only used in a safe and confidential environment, and that meeting immediate needs and safeguarding takes precedence over any casework around exploitation.

Resources

This toolkit is not designed to replace any existing external resources. Some key resources that can be used alongside this toolkit (non-exhaustive) are:

- [Pre-NRM Adult Modern Slavery Pathway Map](#), showing the key casework stages and interventions
- The West Midlands Anti-Slavery Network NRM [Explanatory booklet](#)
- The Human Trafficking Foundation's [Survivor Care Standards](#)
- The Helen Bamber [Trauma Informed Code of Conduct](#)
- The Modern Slavery [Statutory Guidance](#)
- Places of Safety: [10 Core Principles](#)
- ATHUB: [The Anti-Trafficking Resource Hub](#)
- [Trafficking Response Hub and Resources](#)
- [FLEX Booklets](#)
- [The Children's Society Exploitation Resources](#)

This toolkit is reviewed and updated on an ongoing basis. If you would like to make any changes or receive a template for use in your organisation, please get in touch: modern.slavery@birmingham.gov.uk

Labour rights

Your rights as a worker are protected by UK law. The following resources can be helpful for exploring labour rights:

- Work Rights Centre - [Understanding your work rights](#)
- GLAA [Workers Rights Leaflets](#)
- The [Employment Rights Hub](#)
- The Migrant Rights Network: [Know Your Rights Guide 2020](#)

Remember: You are entitled to:

- be paid the National Minimum Wage
- rest breaks and time off work
- paid holiday
- an itemised payslip
- fair and legal deductions from your wages
- a safe working environment
- sick pay
- a copy of your terms and conditions
- Not work more than 48 hours a week, including overtime, unless you have chosen to do so. Your employer must keep a written record to show you have agreed to work additional hours.
- Take a minimum of one day off per week, and if you work for more than six hours a day you should have a rest break of at least 20 minutes.

Exploring indicators

QUESTIONS TO HELP EXPLORE

- Have you heard the words 'exploitation' or 'trafficking' before?
- Do you understand what they mean?
- Could you explain what you think they mean to me?

'Exploitation' is where someone makes someone else do work for them which they don't want to do or feel they don't have a choice about, and does not pay them properly or at all.

'Human trafficking' is where someone is recruited, moved, or kept in a situation, by someone abusing their power or lying to them, and then made to do work. For example, someone might be told that they were coming to the UK to work legally but things are not what they expected, or they have not been paid properly.

QUESTIONS TO HELP EXPLORE

- Are these things that you recognise / does that sound like what happened to you?
- Is it okay if I ask you some questions about that, so I can understand a little bit more about what happened?
- This will mean I can also help you to understand what your options are now, and what help support you might be able to get.

Exploring indicators

The following pages give some suggested questions that might help in exploring indicators of modern slavery, and understanding someone's experience.

Practitioners should be mindful that not all questions will be necessary, appropriate or relevant, and these questions are just suggested options to help guide their casework.

If someone later consents to entering the NRM, the below prompt questions may be helpful when drafting an NRM form, ensuring that the Act, Means and Purpose (or Means and Purpose) are clearly explained.

The below picture icons may also be useful in depicting different forms of exploitation. They can be downloaded in a larger form [here](#).

Icons depicting different types of exploitation



Source: [British Red Cross Trafficking Response Hub, 2021](#).

Questions to help explore general indicators of modern slavery

Work

- How would you describe your current working situation?
- What would happen if you left your job?
- Do you feel safe going to work?
- How do you feel about the work you are doing at the moment?
- Did you get a contract for your work?
- Do you get payslips from your employer?
- How many hours do you generally work each day/week?

Money

- Do you know how much you get paid per hour/day/week?
- Is this money enough for you to buy everything you need?
- Are you able to buy things with your own money?
- Do you know what the national minimum wage is? Are you receiving the correct wage?
- Do you receive sick pay/holiday pay?
- Do you have a N.I number? If so, are you paying tax and N.I currently?
- Do you owe anybody any money? Do you have any outstanding debt?
- Is your pay the same as it was described to you before you started?
- Do you get paid for your work, or does the money go to someone else?

Accommodation

- How would you describe your current living situation?
- How many people do you live with? Is the property overcrowded?
- Is your accommodation linked to your work?
- Do you have access to the bathroom and kitchen?
- Where do you sleep? Do you have your own bed/room?
- Do you have your own key?
- Do you have enough clothes and material items that you need?
- Are you allowed to leave the accommodation when you want?
- Do you cook for yourself? Do you have enough food?
- Are you allowed to go shopping? What does that look like for you?
- How do you get to and from work?

Immigration status

- Do you know what your immigration status is in the UK?
- Have you made any recent immigration claims or do you have a visa?
- Do you have access to your passport or another form of ID?
- What are you hoping for long-term?
- Have you ever been threatened with deportation?

Support

- Do you have any support from charities, services, or health providers?
- How often are you able to access these services?
- What support do you get from other people?
- How do people treat you in your life?
- Is there anything that you are worried about or scared of?

Exploring forced labour indicators

Resource

For additional information and resources see organisations [like FLEX or the GLAA](#)

Forced labour is "work or service which is exacted from any person under the menace of any penalty and for which the person has not offered himself voluntarily". The 'menace of any penalty' can include physical and psychological abuse, threats of abuse, threats to report to authorities, and non-payment of substantial wages owed, and relates to the freedom of the worker to leave the abusive employment.

- What type of work do you do?
- What is your job like?
- How do you feel about your work? Do you enjoy it?
- How did you get your current job?
- Is your job the same as you were told it was going to be?
- What does your contract say you should do?
- Do you have the right clothing, equipment and tools to do your job?
- How do you travel to work and back?
- Is your accommodation linked with your employment?
- Do you have any deductions from your pay for food/accommodation?
- Do you have a bank account? If yes, does anyone else have access to your bank account? Can you take your own money out of the bank?
- Are you claiming benefits?
- Do you know if anyone else is claiming benefits in your name?
- Are you able to you eat regularly through the day? If not, why not?
- Do you receive regular breaks at work?
- Do you receive a weekly or monthly payslip?
- How do your employers make you feel?
- Are you treated with respect and dignity?
- Do you know who to contact if you felt unsafe/mistreated at work?
- How would you contact them?
- Do you have any family, friends or children who are also employed by the same company?
- Have you been asked to take out loans or mobile phone contracts?



Exploring criminal exploitation indicators

Forced criminality falls within the scope of forced labour, and is understood as the exploitation of a person to commit, for example:

- pick-pocketing
- begging
- shop-lifting
- holding, moving, selling, or cultivating drugs, including 'county lines'
- other similar activities and acquisitive crimes which are subject to penalties and imply financial gain

Resource

For additional information see organisations such as [The Children's Society](#), [St Giles](#), [SPACE](#) etc

- How would you describe your situation at the moment?
- Are you ever asked to do things that you don't want to do?
- Are you ever asked to do anything which you think might be illegal in the UK?
- What types of things do you have to do?
- How do you feel about being asked to do these things?
- What do you think would happen if you said no?
- Are you in any debt at the moment?
- What is your living situation like?
- What is your sleep like at the moment?
- Is your work affecting your health?
- Are you able to access a doctor if you wanted to?
- Are you getting any support from anyone at the moment?
- Are you scared or worried about anyone or anything?
- Have you been charged with anything by the police?
- Have any threats been made towards you or your family?
- Has anyone threatened you or told you not to talk about what you do with them?
- What have you been told to do if asked to speak with police?
- Have you ever been told that you would be reported to the police or the authorities?



Exploring domestic servitude indicators

Domestic servitude is a form of labour exploitation. Domestic workers perform a range of tasks in private homes including: cooking, cleaning, laundry, taking care of children and the elderly and running errands. Some domestic workers also live in their employers' homes. For some domestic workers, the circumstances and conditions of their work amount to slavery. This happens when employers stop domestic workers from leaving the house, don't pay wages, use violence or threats, withhold their identity documents, limit their contact with family and force them to work.

Resource

For additional information see organisations such as [Kalayaan](#) and [The Voice of Domestic Workers](#).

- What type of work do you do?
- How do you feel about your work?
- How are you treated by the people you work for?
- How did you get your current job?
- Is your job the same as you were told it was going to be?
- Do you have an employment contract? If so, do you have a copy of this?
- What does a typical day look like for you?
- What type of work do you have to do in the house?
- When do you tend to wake up or go to sleep?
- Do you have breaks or time to rest during the day?
- Who do you eat with at mealtimes?
- Where do you eat? Do you have enough food?
- Do you have your own bedroom?
- Do you have any personal space in the house?
- How do you spend your spare time?
- How often do you call or see friends/family?
- Do you get paid any money for the work you do? Is this regular?
- Are there things you need which you cannot afford from your wages?
- Are you allowed to see a doctor / dentist if you need to?
- How do you feel about the work in the house?
- Do you feel like you could leave your work if you wanted to?
- How often are you able to leave the house alone?



Exploring sexual exploitation indicators



Sexual exploitation is the attempted abuse of a position of vulnerability, power, or trust, for sexual purposes, including, but not limited to, profiting monetarily, socially or politically from the sexual exploitation of another.

It is also a form of gender-based violence. Consensual sex work is not the same as sexual exploitation.



Resource

For additional information see organisations such as [Barnardos](#) and [Women's Aid](#)

- How is your working situation?
- Are there any things you are not happy with?
- Are you ever made to have sex or sexual contact with anyone that you don't want to?
- How are you treated by the people you are working for?
- Was this a working situation that you had originally planned for? If so, has anything changed since then?
- Who collects and keeps (some or all) of the money for services?
- How do individuals make appointments with you?
- How is your health?
- Are you able to access a doctor if you wanted to?
- Do you feel you could say no if you wanted to?
- Are you in any debt at the moment?
- Do you live and work in the same address?
- What is your living situation like?
- How do the people you live with treat you?
- What is your sleep like at the moment?
- Are you getting any support from anyone at the moment?
- Are you scared or worried about anyone or anything?



Human trafficking

In the UK, modern slavery is a crime against a person, and is an umbrella term that includes human trafficking, as well as slavery, servitude, and forced or compulsory labour.

If there was some kind of recruitment, movement, transfer, harbouring, or restriction of movement involved in your experience, then it may meet the definition of trafficking:

Part A: 'Act'

Act

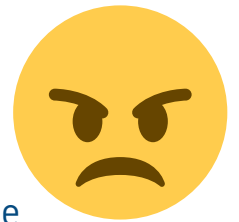


The recruitment, transportation, transfer, harbouring or receipt of a person....



Part B: 'Means'

Means



...by the means of threat or use of force, coercion, abduction, fraud, deception, abuse of power or vulnerability...



Part C: 'Purpose'

Purpose

...for the purpose of exploitation or a work-like activity, such as sexual exploitation, criminal exploitation, forced labour, domestic servitude, slavery, financial exploitation, removal of organs, etc. This does not need to have happened yet, just that there is intent to exploit



Other forms of modern slavery

If your experience did not involve any act of recruitment or movement, then it may meet the definition of slavery, servitude, or forced/compulsory labour:

'Means'

Means

Using a means of threat; use of force, coercion, abduction, fraud, deception, abuse of power or vulnerability, or menace of penalty...



'Purpose'

Purpose

...for the purpose of exploitation or a work-like activity, such as sexual exploitation, criminal exploitation, forced labour, domestic servitude, slavery, financial exploitation, removal of organs, etc. This does not need to have happened yet, just that there is intent to exploit.



Notes

Note:

Remember: Forced labour cannot be equated simply with either working for low wages and/or in poor working conditions, or situations of pure economic necessity, as when a worker feels unable to leave a job because of the real or perceived absence of employment alternatives. Source: Modern Slavery Statutory Guidance, 2021.

My experience

This space is to help map out how your experience might meet the definitions of trafficking (Act, Means and Purpose), or slavery, servitude, or forced/compulsory labour (Means and Purpose).

Part A:
'Act'

Recruitment,
transportation,
transfer, harbouring or
receipt

Part B:
'Means'

Threat or use of force,
coercion, abduction,
fraud, deception, abuse
of power or vulnerability

Part C:
Purpose

For the purpose of
exploitation or a work-
like activity

Note:

It is common for many survivors to have suffered multiple forms of exploitation, as well as other crimes, often at the same time.

What specific support is available?

National Referral Mechanism (NRM)

The National Referral Mechanism (NRM) is a system for identifying and referring potential survivors of modern slavery and ensuring that they receive the appropriate support.

If someone has been subject to some form of exploitation, and they need support afterwards, they can ask the government to recognise them as a potential survivor of modern slavery, and provide them with short-term support.

If someone wants the UK Government to recognise them as a survivor of modern slavery, they can request that they consider the claim by asking a First Responder to submit an NRM referral.

A First Responder is an organisation like the Local Authority, the Police, or the Salvation Army, who are allowed to make official referrals to the Government.

Anyone adult considering entering the NRM should be supported to understand what the NRM is; what support they might be entitled to; what the possible outcomes might be; and what the alternatives to entering the NRM are, before they enter. No referral should be submitted without someone understanding this, and agreeing to the contents of the referral form.

It is highly advisable that any adult considering entering the NRM should be supported to access legal advice beforehand, particularly if they are a non-British national. The NRM is not the best option for everyone, so specialist casework and legal advice is key.

[1. Link to the West Midlands Anti-Slavery Network NRM Explanatory Booklet](#)

[2. Link to FLEX booklet on NRM support](#)

NRM submitted



An NRM is completed online and submitted by a First Responder (e.g. Police, Local Authority, Salvation Army). This is sent to the Home Office. You should get a copy of the form if you want it. If you have also consented to receive support, your First Responder should contact the Salvation Army to let them know. If you need emergency safe house accommodation immediately, you can request this once the form is submitted. Remember that you should be given time to consider all your options before being referred to the NRM.

5 working days

Negative Reasonable Grounds decision

If you get a negative decision, you can ask the First Responder, a support worker or your lawyer to request a 'Reconsideration' if there is more evidence or you think the decision was wrong.

Positive Reasonable Grounds decision

This means that the Home Office suspects you may be a survivor of modern slavery. This means you now have access to NRM support if you would like it as well.

Minimum 45 days

Reflection and recovery period

During the reflection and recovery period, you should not be removed from the UK. You are entitled to: Safe accommodation and material assistance • Medical treatment and care • Psychological assistance • Legal advice on immigration, legal rights and the criminal justice system • Guidance on education, training and employment • Ensure any return to home country is safe and dignified.



Negative Conclusive Grounds decision

If you get a negative decision, this should have already been looked over by a Multi-Agency Assurance panel. You can ask the First Responder, a support worker or your lawyer to request a 'Reconsideration' if there is more evidence or you think the decision was wrong.

9 days to exit support

Positive Conclusive Grounds decision

This means that on the balance of probabilities, the Home Office believes it is more likely that you are a victim of modern slavery.

Minimum of 45 days additional support. Recovery Needs Assessment process before exit.

Exploring the NRM

Prior to any National Referral Mechanism referral, it is important that someone has access to legal advice, particularly if they are a third-country or EU national. This is likely to be pro-bono legal advice, unless they have an immigration advisor in place who is comfortable advising on the risks and benefits of entering the NRM for that person.

The below are some generic points about why someone might, or might not, wish to enter the NRM. This may help you explore the risks and benefits with them, once they have obtained pre-NRM legal advice, and once you have explained what the NRM is.

What might be some benefits of entering the NRM?

- It offers a short-term recovery period, including accommodation and financial support. This can be helpful if someone is experiencing or facing destitution
- There is additional support available through the NRM, e.g. access to a support worker, accommodation, finance, health costs, legal aid, etc.
- It offers a rest and reflection space to decide on next steps, with support.
- Being in the NRM can provide a temporary barrier to removal from the UK.
- Access to advice and support on compensation options
- A positive Conclusive Grounds decision is official recognition from the Home Office that someone is a confirmed survivor of trafficking. This can offer additional protections and support (e.g. can help towards priority recognition afterwards for housing if eligible).
- A positive Conclusive Grounds decision may support or strengthen an asylum claim, if someone's claim is based on their vulnerability as a survivor of trafficking. However, only a qualified immigration advisor can advise on this.
- A positive Conclusive Grounds decision may open up the possibility for applying for Discretionary Leave to Remain (see current [government guidance](#), may be changing shortly).
- Entering the NRM may provide support with a defence (S45) in criminal justice processes (see [legislation here](#)).

Is any of that relevant to me?

Exploring the NRM

Why might someone decide not to enter the NRM?

- Someone may have had legal advice which suggests it might not be the best option for them.
- Information may be shared between Home Office departments. For example, if someone has made an asylum claim, or plans to in the future, the information on their NRM referral may be considered in light of any other evidence that the Home Office has about them. If there are discrepancies, it could potentially impact on someone's credibility, although only a qualified immigration advisor could advise on this.
- A negative decision from the NRM may have an impact on someone's other immigration applications, although only a qualified immigration advisor could advise on this..
- As part of the NRM process, the Home Office may gather information about a person from other sources - for example, from the police. This means that an individual may have less control over information that is being shared about them.
- Someone may not wish to be identified as a survivor of trafficking
- Depending on someone's personal circumstances, entering the NRM or having a positive conclusive grounds decision may not offer any additional protections for them personally
- The possibility of not being believed at either stage (reasonable grounds or conclusive grounds), can be very undermining for someone.

Is any of that relevant to me?

NRM Information Sharing

If relevant, the following points may be helpful in making an informed decision about entering the NRM. Please share the [NRM Privacy Information Notice](#) and make it available.

Sharing of information

- All the information in an NRM referral will be shared with the Single Competent Authority (SCA) at the Home Office, and with the relevant police force for the area.
- All the information previously shared with the SCA will likely be taken into consideration when looking at the NRM decision.
- The SCA will usually do a check on someone's immigration status before making a Reasonable Grounds Decision.

Submitting additional information

- The SCA at the Home Office should gather evidence from organisations supporting the person, and should take into account any medical reports submitted.
- A survivor may not always know exactly what information has been gathered about them by the SCA.
- Support organisations should consider submitting information which could help to support an NRM referral, but the individual needs to consent to the information being submitted, and it is highly advisable to share this with the individual's immigration advisor prior to submission.

Decision-making process

- NRM and asylum decisions are two separate processes and decisions. However, information from both is likely to be shared. For example, information in an asylum application may be considered in an NRM decision.
- The SCA will generally wait to make an asylum decision until the NRM process is concluded. Therefore, entering the NRM can mean that the asylum process becomes much longer.

Involving the police

- Modern slavery is a crime against a person, and survivors have the right to seek justice if they wish.
- An NRM referral will be copied to the relevant police force and a crime number will be recorded. An individual does not have to engage with the police, but they may still be contacted to ask if they wish to give evidence or cooperate with an investigation.
- There are different options for giving additional information to the police, including providing a formal statement; providing a sanitised intelligence account, submitting an anonymous account, etc.

Exploring options

What are my needs and priorities?

Accommodation	Finance	Safety
Justice	Immigration	Health
Support	Education/ Training/Work	Friends / family

Notes

What other options are available?

Examples:

- Exploring the asylum process or other immigration applications following legal advice
- Being referred to Adult Social Work for a Care Act assessment
- Exploring access to homelessness provision
- Finding other work and accommodation
- Accessing third-sector support, including hosting
- Accessing a refuge space as a survivor of domestic abuse
- Exploring access to homeless shelters
- Staying with friends or family
- Returning to country of origin (if relevant)

What are my other options?

Option:

What support will this give me?

Is this the support that I need?

What are the risks if I do this?

What are the benefits if I do this?

What might the short-term look like?

What might the long-term look like?

Would this change where I lived? How do I feel about that?

Would this impact on my ability to work?

What has my solicitor/legal advice said about this?

Exploring options

Option	What would this mean for me?	Benefits	Risks

Legal advice

What area of law is this?

Immigration

Community Care

Housing

Compensation

Public law

Family law

Criminal

Other:

What questions do I want to ask?

Contact details

Legal advice

My notes

Planning for next steps

What have I decided I want to happen next?

When will this happen?

Is there anything I need to prepare?

My key contacts

Name:

Organisation:

Contact details:

Name:

Organisation:

Contact details:

Name:

Organisation:

Contact details:

Name:

Organisation:

Contact details:

Name:

Organisation:

Contact details:

My notes

My notes

WITH THANKS TO

Barnardos ICTG Service
Birmingham City Council
Black Country Women's Aid
British Red Cross
Hertfordshire Modern Slavery Partnership
Hope for Justice
Jericho Foundation
Refugee and Migrant Centre
SIFA Fireside
Spring Housing Birmingham
St Basils Birmingham
The Adavu Project
The Children's Society
Unseen Modern Slavery Helpline
West Midlands Anti-Slavery Network
West Midlands Strategic Migration
Partnership
West Midlands Violence Reduction Unit

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template, or questions to:
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