

ResoLex Roundtable

ResoLex Round Table 8th November 2018

How we should work collaboratively to eliminate slave labour in the Construction Industry

Presented by Chris Blythe OBE - Chief Executive, CIOB

Chris opened the session with the question 'Is slavery an issue in modern Britain?' The answer is yes. The National Crime Agency believes the numbers are in the tens of thousands. The issue has now become a bigger crime priority than drugs. People are more reusable!

Section 54 of the UK modern slavery act requires transparency. All companies with a turnover of £36m most comply, but this excludes public bodies. However, only 15% of statements issued under the act comply with the law, and even fewer follow the spirit of the law.

Looking at the statistics, only 1 - 2% of people on a big site are employed by the main contractor. 90% of people working in construction employ less than 10 people. 53% of workers in London are migrant workers who are more at risk. If you are working in the construction industry in London, then the chances are that there is some form of slavery abuse taking place on a site you may be involved with.

The industries business model of low margins and time penalties means that monitoring is often absent. The main problems are as follows:

- Being able to prove a 'Right to Work' does not protect individuals.
- Exploitation ranges from short pay to no pay.
- Procurement professionals are not active in checking.
- The attitude of the client and the professionals who think of this as the sub contractors problem.

Chris explained that the enforcement environment is dispersed. For example

- Immigration and Enforcement deal with Illegal workers
- HSE - deals with holiday pay
- HMRC - minimum wage
- Gang Master and Labour Abuse Authority
- Police / GLAA / NCA - Slavery
- Office for Labour Market Enforcement

Measures to Improve

As awareness increases, there are a number of initiatives running. For example

- Liability for the supply chain must remain at the top
- Changes in JCT and NEC so that there are no penalties for delays
- Greater enforcement powers in the authorities
- Penalties along the lines of the Bribery Act so that risk cannot be passed down the supply chain

It was noted however that there still needs a 'stick' for the industry to react.

Chris urged professionals to provide more leadership and advocacy.

The CIOB is taking an active role having published three reports on the topic, They have also instigated a number of initiatives including:

- Member awareness campaign
- Revised code of professional conduct
- New modules in a Learning Outcome Programme
- Working with industry partners.

The closing theme of the session was that everyone involved in the industry should recognize that slavery is a real problem and we should all take the steps we can to eradicate any slavery practices in the projects where we have an influential role.