



Human Trafficking Foundation Online Forum

The Barriers to Accessing Work & Education for Modern Slavery Survivors

24th May 2021 2pm – 3.30pm

Chaired by Tamara Barnett, Director of Operations and Phil Brewer HTF.

The recording of the meeting can be viewed [here](#)

Tamara Barnett (Director of Operations at HTF) *Introduction*

This event is co-hosted with the Access to Work Coalition who have just published their [report](#) 'access to work for survivors of slavery to enable independence and sustainable freedom'. This report explores damage caused by restricting survivor's ability to work and employment. This talk today is going to hear from a range of speakers discussing the barriers to both work and education.

Jane Williamson (Adult Educator) *Survivor Education: Opportunities and Barriers*

Jane worked at the Northern College within the [Free-Thinking Programme](#) and she found that participants' social and education backgrounds vary greatly. 20% of students are not eligible for government funding, so Northern College uses reserves to fund these students. They can provide childcare on site and a most minibus is organised to get students on site in order to break down barriers to education. The College is given advice and training from both Snowdrop and City Hearts in terms of pastoral support and safeguarding.

Other institutions offering survivor education courses:

- Fircroft College Birmingham (only take students eligible for funding)
- St Mary's University Twickenham (horizons summer school)

The Free-Thinking Programme students all have iPads, and the course was developed in response to listening to students i.e. they wanted to know about living in the UK, employment skills and technical help. For students it was about a lot more than education but building social networks and normalcy.

A lot of students didn't have the right to work, and this felt like pathway to employment in the future. Within the Free-Thinking Programme 50% of students went onto complete further education.

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If someone is in the NRM and claiming asylum they must wait 6 months to become eligible to enter education courses. EU citizens that haven't got settled status will not be able to access adult education now post Brexit. In order to access higher education, one must apply for adult learning loan which asylum seekers are not eligible, and EU citizens will not be eligible after September. There is no maintenance loan or ability to access benefits while in higher education. Survivor Alliance programme provides an alternative route to education; 30 survivors are currently enrolled in a programme of peer learning.

There are certain problems running these programmes. For example, the Adult Education Budget is set by ESFA and they need to see evidence of benefits, nationality and IDs which is hard to obtain for those within the NRM. Moreover, if someone doesn't have the right to work, they cannot have the right to enter apprenticeship courses either.

Avril Sharp (Kalayaan) *Centring Survivor Needs*

Kalayaan is a worker's rights organisation and a First Responder to the NRM. Their remit is those on the Overseas Domestic Workers visa. The access to work coalition followed empirical research undertaken with UCL within their Dignity not Destitution research project. The coalition believe that NRM doesn't work in best interest for survivors, who are trapped in limbo for years meaning that their day to day lives are detrimentally impacted by their inability to work

The average time waiting for a CG decision is 462 days; survivors describe this time as anxiety provoking, resorting to food banks and exploitative work just to get by.

Implementation

- Residence permits or discretionary leave to remain
- Amend conditions of immigration bail to grant permission to work

Upcoming opportunities to remind the Government include the NRM transformation programme and the upcoming review of the Government's 2014 Modern Slavery Strategy. The Coalition is keen to grow membership to help assist survivors in recovery, [Kalayaan](#) is secretariat – please get in touch if you would like to join.

Maria (Survivor & Advocate) *Experience in the NRM*

Maria waited 3 years for CG decision. Her visa expired by the time she entered NRM so wasn't allowed to work but she had to support her family who were staying in a reception centre and relied on her to send money. She had to tell them she couldn't do that anymore.

Found that it was hard to recover from how she was treated by her employer, which was a worry for her family too. She felt helpless and lost her appetite, couldn't sleep, had no interest in doing anything nor did she want to communicate with anyone or go outside. She received £37 a week which was not enough for a phone, food and transport to her solicitors, caseworker, and GP. She had to ask her community through church for money. When she was given status and the right to work, she found work in supermarket and as a carer. This earned her enough for her family to buy a

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small house. Makes her feel proud to be able to do this, but if she could have worked during her time in the NRM she could have helped her family sooner. For now, she is just happy they are safe, but she doesn't want anyone else to go through what she went through. Maria says we need to be able to support ourselves and families as survivors and overcome what we went through.

Kalayaan's presentation can be found [here](#).

Katie Thiselton (Sophie Hayes Foundation)

At Sophie Hayes Foundation there are employability programmes to survivors of trafficking to provide independence and sustainable freedom. Working with 475 survivors across 48 nationalities mostly of which are from Nigeria and Albania.

No approach fits all as the Foundation works with a wide range of survivors with different experiences (faith, sexuality dependent children, mental health challenges). Education levels very different for survivors in the programme. The Foundation believes that the workplace isn't set up for these women and lacks flexibility.

Key indicators for successful work readiness:

- Societal 75% of women they work with come from countries where education and employment are restricted or denied for women. Often these women looking into employment they default to domestic roles.
- Survivor journeys are not linear (health, parental responsibilities, legal challenges) survivors may have to drop out of programmes)
- Criminality challenges for disclosing records leading to additional vulnerabilities fer of being labelled a criminal.
- Inequities work and education challenges depending on where the survivor is living across the country in the UK.
- Business readiness to hire often find that employers are insufficiently prepared in understanding survivor transitions (confidentiality, hiring criteria, lack of resume experience, nonlinear lives).

Julie Cockett (Sophie Hayes Foundation) *In Conversation with Survivors*

Survivor A began with SHF three years ago where they learnt how to build a CV and interviewing skills which was helpful as it was very different in her country. Barriers experienced when applying for work were English language skills but communicating at work helped strengthen skills. Volunteered at BHF which was a good experience learning about work in the UK and at Jericho Foundation volunteered as a secretary.

Survivor B started at SHF in 2019 and undertook employability skills workshop (CV writing, looking for work) couldn't find jobs in Birmingham because of the things they were asking for i.e. experience.

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Found work in a nursing home but that was far away, wanted to find live in work. Currently works in London but lives in Birmingham.

Zofia Duszynska (Duncan Lewis Solicitors) *Residence Permits and the Right to Work in the NRM: Recent Legal Challenges*

Zofia specialises in immigration, civil liberties, and human rights at Duncan Lewis. She usually works with third country nationals who tend to have barriers to education and employment in terms of language, literacy, and criminality but most significance obstacle is immigration status. The Access to Work Coalition report recognises the need for unrestricted access to work and education for long term permanent jobs.

There have been several cases taken to the high court in recent months examining the right to work and leave to remain. Zofia will focus on the [case of EOG](#). Duncan Lewis argues that ECAT requires that individuals should receive recognition of their status and leave to remain when they enter the NRM and this recognition should entitle them to work.

EOG entered the UK on a Tier 5 Youth Mobility Visa in 2017 which is a two-year visa without restrictions on hours or sector. She was initially referred to the NRM in 2018 and received a positive reasonable grounds decision a year later. While in NRM she started doing a work placement in a charity but needed reassurance that her status permitted this. By September 2019 when her visa expired, she hadn't received a conclusive grounds decision, apparently the gateway to Leave to Remain. Her leave expired and she had to stop work, she was left in limbo in the NRM unable to take up meaningful work. She didn't receive her CG until 18 months after entering NRM. She didn't receive her discretionary leave until 28 months after entering the NRM – despite engaging with the police to prosecute her traffickers. She was trapped and dependant on subsistence from the Victim Care Contract.

Looking at other immigration situations, for example if EOG had entered on domestic workers visa and received a positive reasonable grounds decision she would have had her visa extended. Policy as written is unlawful as it lacks flexibility. For EOG there is no possibility for working visa to be extended within the NRM, as this doesn't operate as an immigration channel.

EOG case was heard in November 2020 and Duncan Lewis benefited from evidence from organisations in the Access to Work Coalition on the affects on the lack of permission to work and how this disincentivised survivors from entering the NRM because of losing right to work. The reason people are trafficked in the first place is because of vulnerable economic situation.

EOG case it took 9 months after positive reasonable grounds decision to receive decision on discretionary leave. It is still possible for individuals to leave NRM support but still be waiting on Discretionary Leave decisions. Timescales on this are not published.

Nicole Newman (Jericho) *A Business Perspective*

Jericho's [Equiano Plus Project](#) supports survivors transitioning into work. Employment related support is holistic so that future employment opportunities can be long term and sustainable.

- Long term support for thirty survivors each year most post-NRM with positive CG decision

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- Supported paid and voluntary employment within our social enterprises
- Paid employment is part time enabling survivors to access their appointments / childcare responsibilities
- Legal advocacy through partnership with Hope to Justice

Benefits of employment

- Sense of purpose and structure to week and economic independence
- Develop skills and improve employment prospects
- Improved wellbeing, integration and sense of community
- Reduced risk of re-exploitation
- Importance of networks and friendships that develop in a workplace

Jericho's presentation can be found [here](#).

Panel discussion with speakers, chaired by Phil Brewer

Rights Lab report can be accessed [here](#) and Vicky Brotherton reports that conversations with both the Commissioner's Office and the Home Office are ongoing and will keep the Access to Work Coalition updated on this.

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