



Home Office

# First Responder Webinar

Decision-making process

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# Competent Authorities

There are two competent authorities in the Home Office: SCA and IECA

IECA is responsible for a specific cohort of adult cases. These are individuals who fall within the following cohorts at the point of referral to the NRM:

- All adult Foreign National Offenders (FNOs) detained in an Immigration Removal Centre (IRC)
- All adult FNOs in prison where a decision to deport has been made
- All adult FNOs in prison where a decision has yet to be made on deportation
- Non-detained adult FNOs where action to pursue cases towards deportation is taken in the community
- All individuals detained in an IRC managed by the National Returns Progression Command, including those in the Detained Asylum Casework process.
- All individuals in the Third Country Unit/inadmissible process irrespective of whether detained or non-detained.

The SCA is responsible for all other cases referred to the NRM, which includes all child cases.

# NRM referral

The definitions of Human trafficking and Slavery, servitude, forced and compulsory labour can be used a helpful prompt to remind First Responders of what information to include in an NRM referral. For adults, Human Trafficking is:

Components of adult trafficking	What it means
Action	Recruitment, transportation, transfer, harbouring or receipt, which includes an element of movement whether national or cross-border; which is achieved by a...
Means	Threat or use of force, coercion, abduction, fraud, deception, abuse of power or vulnerability; For the purpose of...
Exploitation	For example, sexual exploitation, forced labour or domestic servitude, slavery, financial exploitation, removal of organs

**REMEMBER** – Children do not need to demonstrate a means was used against them e.g. they don't need to have part b for Human Trafficking or part A for Slavery, Servitude, Forced or Compulsory labour

# NRM referral form

Section	Prompts
1. Age confirmation	Confirmation of whether under/over 18
2. Local authority details	Only to be completed for child referrals.
3. Potential victim's background	Place of birth Family Education Employment history
4. Exploitation details	Date(s) of exploitation Is there more than one exploitative situation? How did the exploitation start? Details of journey/treatment during exploitation/where they stayed Details about their exploiter(s) How & why they left? Reason for reporting it now, have they had a chance to report it before?

# NRM form cont.

Section	Prompts
5. Professional insight	Why are you making the referral? Details about the interview carried out Are there other professionals/organisations involved? Are there any indicators or evidence that they could be acting dishonestly? Any additional documents/evidence to submit
6. NRM consent	Do they want their case referred to the NRM? Do they need support?
7. PV's personal details	Key personal details Any Home Office reference numbers Contact details & confirmation it is safe to contact them Legal rep contact details
8. Police contact	Can the police contact them about their case?
9. Duty to Notify	

# Example NRM referral

## Evidence of modern slavery

<i>When did the exploitation take place?</i>	August 2019 - January 2020.
<i>Have they been in more than one exploitative situation?</i>	N/A
<i>How they came to be exploited</i>	PV paid for a journey to [REDACTED] but when he arrived, a group kidnapped him and demanded more money for his release. He was beaten by [REDACTED]. PV: 'we were kidnapped by militia on our way from [REDACTED] to [REDACTED]. We were taken to a place to be exploited. These people operate around [REDACTED] people try to flee, they round you up and take you. We were taken to a compound in [REDACTED], that is when they asked me to pay a ransom'. As he was unable to pay the money initially he was forced to work.
<i>Were they taken somewhere by their exploiter(s)?</i>	Yes
<i>Journey details</i>	PV was taken by small pick up truck to the compound. From there, there was a farm walking distance that he was forced to work in. He was also driven to a construction site to work.
<i>What were they required to do?</i>	PV was made to work 8-10 hours, sometimes given an hours break. He worked 5 days a week. On the farm he was required to look after the animals, feed them, provide water, general farm work. On the construction site he was required to do 'normal building work', picking up bricks to take to building sites.
<i>How were they treated?</i>	PV: 'I was not treated with respect, no rights or say, if expected to work, you have to work'. PV was beaten by [REDACTED] especially at the start of the exploitation. He was hit in the head so badly, he required stitches. The PV was held at the compound when not at work. There were no beds, everyone slept on the floor. There old mattresses on the floor that caused 'skin rashes and disease'. There were no shower facilities, he was only able to shower once every two weeks. PV was provided with food - only macaroni, no sauce just hot water and salt. Eight people had to share one plate of food.
<i>Why they stayed</i>	PV tried to escape compound but got lost and was found by [REDACTED] seven days later. The compound was guarded by [REDACTED] with guns. On his return he was beaten and subjected to PV; 'psychological damage, to them, in their eyes you have committed a crime'. There were three doors into the main compound were PVs were held - these were locked.
<i>How and why did they leave the situation?</i>	PV's relatives eventually managed to pay for his release. Once the money was paid the [REDACTED] took PV to [REDACTED] and on to [REDACTED] by boat. This was arranged as part of the payment.
<i>Is this the first chance they have had to report this?</i>	Yes
<i>Why are you making the referral?</i>	It is my professional insight is that there are clear indicators of trafficking. The PV describes being captured and transported to a location with the purpose of labour exploitation - farming and construction. He was held against his will through use of physical force and locked in a compound when not at work. He did try to escape but was recaptured. His release was only secured once money was paid to [REDACTED] by his family. He has described being captured in an area well known to traffickers and his vulnerabilities as he was fleeing his country for his safety were exploited - knowing his family would pay for his release. He has expressed significant impact upon his mental health, that he struggled to cope while being exploited and requires specialised mental health support to facilitate recovery from his experience.
<i>Where and how was the interview carried out?</i>	The interview took place by phone over one hour forty-five minutes using interpreter [REDACTED]. The client did not require breaks and was able to articulate his experience but commented upon the impact of the physical and psychological abuse he suffered and the effect upon his mental health.
<i>Are there other professionals or organisations involved with this case?</i>	No
<i>Details of other professionals or organisations involved</i>	
<i>Are there indicators or evidence that they could be acting dishonestly?</i>	No
<i>Detail the indicators or evidence that they could be acting dishonestly</i>	
<i>What documents or evidence will you submit with this referral?</i>	There are no documents to submit.

# Example NRM referral cont.

## Evidence of modern slavery

<i>When did the exploitation take place?</i>	Started in 2018 As I walking to meet my friend, I was picked up and forced to go car. I was taken to a different location, but I do not recall all of the details. This people had beaten me up and threaten me.
<i>Have they been in more than one exploitative situation?</i>	n/a
<i>How they came to be exploited</i>	took money from bad people and could not make payments back to them.
<i>Were they taken somewhere by their exploiter(s)?</i>	Yes
<i>Journey details</i>	Could not remember details due to stress
<i>What were they required to do?</i>	n/a
<i>How were they treated?</i>	n/a
<i>Why they stayed</i>	n/a
<i>How and why did they leave the situation?</i>	In order to avoid this people I decided to leave [REDACTED]. January 2019 I have left [REDACTED]
<i>Is this the first chance they have had to report this?</i>	No
<i>Why are they reporting this now?</i>	Interview NRM
<i>Why are you making the referral?</i>	circumstances which put the individual at a heightened level of vulnerability safeguarding issues
<i>Where and how was the interview carried out?</i>	Interview was carried out face to face. This was carried out at [REDACTED] and has taken approximately 30 minutes.
<i>Are there other professionals or organisations involved with this case?</i>	No
<i>Details of other professionals or organisations involved</i>	
<i>Are there indicators or evidence that they could be acting dishonestly?</i>	No
<i>Detail the indicators or evidence that they could be acting dishonestly</i>	
<i>What documents or evidence will you submit with this referral?</i>	n/a

# Key take-aways

- ❖ Provide accurate and complete information
- ❖ Include your professional insight
- ❖ Submit supporting evidence separately
- ❖ Provide contact details in case we need more info
- ❖ Informed consent is not required in the case of potential child victims



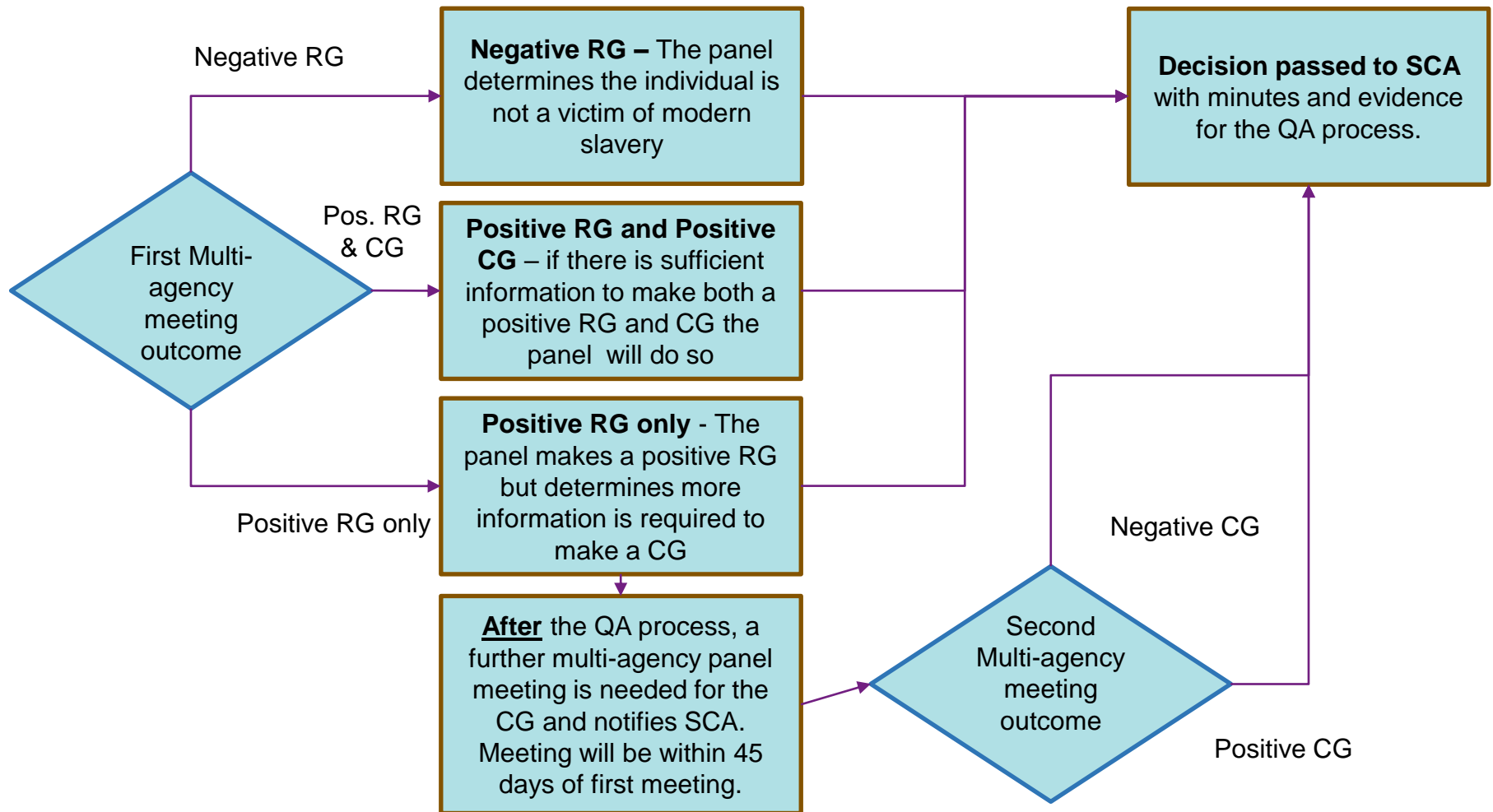
# Reconsiderations

- Can be requested following a negative Reasonable Grounds or Conclusive Grounds decision or a decision not to grant Temporary Permission to Stay
- Can be requested on two grounds
  - That additional evidence is available that is material to the outcome of a case (no time limit)
  - That there are specific concerns that a decision has not been made in line with statutory guidance (within 3 months of decision)
- Can be requested by the individual, their legal representative, the First Responder or their Support Provider
- Accept/reject decision within 9 working days

## How to request a reconsideration

- Email [nrm@modernslavery.gov.uk](mailto:nrm@modernslavery.gov.uk) for SCA cases
- Email [IECompetentAuthority@homeoffice.gov.uk](mailto:IECompetentAuthority@homeoffice.gov.uk) for IECA cases
- Include:
  - Name of individual in receipt of a negative decision
  - Date of birth
  - Nationality of the individual
  - NRM reference number
  - Basis of request (not in line with policy or additional evidence)
  - Reasons for the reconsideration request, including new available evidence where applicable

# Devolved decision-making pilot: Process Map



# Devolved decision-making pilot: How do we make our decisions?

- ❖ Decisions must be taken within a **multi-agency structure**.
  - ❖ **Local Safeguarding partners must be engaged in decision making** (but the wider membership can be flexible)
  - ❖ If the **Independent Child Trafficking Guardian (ICTG) service is present in the area or in Scotland the Scottish Guardianship Service they should be invited** to contribute evidence or attend meetings - but not participate in the decision-making
- **Timing of decisions** – there are specific timeframes for decisions:
    - ❖ An RG decision within **45 days** from the date the site receives the referral.
    - ❖ A CG decision no later than **45 days** after the first panel meeting.  
*(maximum of 90 days in total)*

**Where there is sufficient information, Pilot Sites may also make a positive Conclusive Grounds decision at the same multi-agency meeting where the Reasonable Grounds decision is taken.**

# Devolved decision-making pilot: Key Differences

- **Faster decisions** – All decisions to be made within 90 days (both RG/CG)
- **Possible positive RG + CG made concurrently** – During the first LA meeting a positive RG + CG can be made at the same time if the evidence meets the higher threshold.
- **Reduction in case preparation** – The panel members from the relevant organisations (LA's, police, health) will provide documents/evidence when they attend the meeting.

The published guidance provides an overview of the pilot including: the scope of the pilot and what it aims to achieve, the timescale for decisions by local authorities and the support and quality assurance in place. All the information on decision-making and the thresholds can only be found on this guidance:

- General guidance for the UK: [Devolving child decision-making pilot programme: general guidance - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/612222/devolving-child-decision-making-pilot-programme-general-guidance.pdf)

## Contacts in the Pilot Programme:

Any Operational queries: [SCALocalAuthorityPilot@homeoffice.gov.uk](mailto:SCALocalAuthorityPilot@homeoffice.gov.uk)  
Any Policy Pilot specific queries: [childmstpilots@homeoffice.gov.uk](mailto:childmstpilots@homeoffice.gov.uk)