



Home Office

# An evaluation of the National Referral Mechanism pilot

Research Report 94

Nicola Ellis, Christine Cooper and Stephen Roe

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# Summary

This report presents findings from an evaluation of a pilot of changes to the National Referral Mechanism (NRM). The NRM is the UK's system for identifying and supporting potential victims of modern slavery. The pilot was run in two areas, West Yorkshire and the South West of England, from August 2015 to March 2017.

The current NRM process includes three stages.

- Identification and referral of potential victims of modern slavery into the NRM by a designated 'First Responder' organisation.
- The 'reasonable grounds' decision, which means that it is 'suspected but not proven' that someone is a victim of modern slavery, allows the potential victim to access support. The decision is made by a 'competent authority':
  - the Modern Slavery Human Trafficking Unit in the National Crime Agency;
  - the NRM Hub in UK Visas and Immigration; or
  - (in a very small number of criminal cases) Immigration Enforcement.
- The competent authority then gathers more information about the case (during the 'caseworking' phase) to make a 'conclusive grounds' decision, which means that on the evidence available 'it is more likely than not' that someone is a victim of modern slavery.

Following a review of the NRM in 2014, which highlighted a number of limitations of the existing NRM process, changes were implemented in the pilot areas. The key changes in the pilot process were the introduction of:

- Slavery Safeguarding Leads (SSLs) to raise awareness of the NRM process, encourage more appropriate referrals and make swifter reasonable grounds decisions;
- a Case Management Unit (CMU) for caseworking to streamline the case management process and to improve the consistency of caseworking; and
- multi-disciplinary panels for making more transparent and credible conclusive grounds decisions.

## Aim and scope of the evaluation

The evaluation of the NRM pilot was conducted by the Modern Slavery Research Team, part of the Crime and Policing Analysis Unit in the Home Office. It was set up to look at the pilot process and how it compares with the existing NRM process. It does not assess the existing NRM process.

The evaluation:

- compared the outcomes and timeliness of NRM decisions in the pilot areas with those in the non-pilot areas, both before and after the implementation of the pilot, based on quantitative data collected from the CMU in the pilot areas and the Modern Slavery Human Trafficking Unit in the non-pilot areas; and
- considered how the pilot process was implemented, what worked well, barriers and issues faced, based on qualitative interviews and surveys with those involved in implementing the pilot.

It should be noted that the characteristics of cases coming through the pilot and non-pilot areas were different and changed over time. This may account for some of the differences observed in outcomes and timeliness between the pilot and non-pilot areas and over time.

## Findings

During the pilot period 404 potential victims were identified and referred to the NRM in the pilot areas. The average number of referrals in the pilot areas increased from 20 per month in the previous year to 24 per month in the pilot period. Referrals in the non-pilot areas increased to a similar extent.

### *Referral and reasonable grounds decisions*

A higher proportion of potential victims received a positive reasonable grounds decision in the pilot areas (89%) compared with the non-pilot areas (83%). Compared with the previous year, this represented no change in the pilot areas and a decrease (from 87% to 83%) in the non-pilot areas.

Reasonable grounds decisions were made more quickly in the pilot areas, with an average (median) of one day between referral and reasonable grounds decision compared with six days in the non-pilot areas. This represented a decrease from an average of six days in the pilot areas in the previous year, while no change was observed in the non-pilot areas.

Generally, the role of the SSL was viewed positively:

- practitioners were positive about the quicker reasonable grounds decisions, which could enable quicker access to support for potential victims;
- SSLs appreciated their own increased awareness of modern slavery; and
- caseworkers in the pilot reported generally agreeing with the reasonable grounds decisions made by the SSLs.

However, there were concerns about resourcing the role, given that SSL tasks were additional to existing responsibilities. It was also felt to be difficult to build up expertise amongst SSLs, due to the low frequency of cases they dealt with.

### *Conclusive grounds decisions*

Conclusive grounds decisions were made by multi-disciplinary panels consisting of representatives from the police, local authorities, non-governmental organisations, UK Visas

and Immigration, the NHS and the Gangmasters and Labour Abuse Authority. There were 34 panels over the course of the pilot reviewing an average of 8 cases per panel.

There was no change in the proportions of positive conclusive grounds decisions in either the pilot or the non-pilot area compared with the year prior to the pilot. A higher proportion of cases received a positive conclusive grounds decision in the pilot (43%) compared with the non-pilot (21%) areas, although the differing characteristics of cases in pilot and non-pilot areas and the high proportion of cases pending conclusive grounds decisions in both the pilot and non-pilot areas (35% and 47% respectively) complicates this picture.

In general panel members were positive about multi-disciplinary panels. In particular, the range of skills and experience of panel members was seen to be very important for good decision making. Almost every panel member said that they were confident in the decisions made by the panel in almost all cases. However, panel members raised concerns about resourcing and the time commitment needed to sit on a panel.

### *Caseworking*

Caseworking involved gathering evidence about each case to make the conclusive grounds decision. Caseworking took less time in the pilot areas (87 days on average), compared with the non-pilot areas (98 days on average). However, in the pilot areas there was an additional 9 days for panel members to read the case material and come to a decision, meaning that the overall time between reasonable grounds and conclusive grounds decision (96 days) was similar to the non-pilot areas. Non-European Economic Area (EEA) cases took longer than EEA cases to process in both areas. However, the difference was less marked in the pilot areas (31 days longer) compared with the non-pilot areas (112 days longer).

The types of challenges faced by members of the CMU were similar to those in the existing NRM system, such as difficulties in gathering information from other agencies and waiting for a police investigation or asylum interview to be completed. However, members of the CMU also raised particular issues with the separation of caseworking and decision making, including a few instances of panel members sending cases back to the CMU asking for more information, which it was not possible to get.

### *Support providers*

Support providers had noticed little difference in terms of victim experience between individuals going through the pilot and non-pilot processes. However, they were generally positive about some of the changes in the pilot areas, in particular multi-agency decision-making panels and quicker reasonable grounds decisions.

**Table A: Summary of decision outcomes and timeliness in the pilot and non-pilot areas in the pilot period and the previous year**

		Pilot period		Previous year	
		Pilot areas	Non-pilot areas	Pilot areas	Non-pilot areas
Reasonable grounds (RG) decision	Proportion of cases that received a positive RG decision	89%	83%	88%	87%
	Days between referrals and RG decision	1 day	6 days	6 days	6 days
Conclusive grounds (CG) decision	Proportion of cases that received a positive CG decision	43%	21%	42%	19%
	Days between RG and CG decisions	96 days	98 days	47 days	84 days

Note: The different length of time for pilot and baseline periods means that comparisons of time taken for caseworking between these periods is not valid.

## Conclusions

The aims of the pilot were to streamline the NRM process and encourage better decision making.

In terms of timeliness, reasonable grounds decisions were made faster in the pilot areas during the pilot period compared with the previous year and the non-pilot areas (one day compared with six days). However, the average (median) time taken for conclusive grounds decisions was over 90 days in the pilot areas, similar to that in the non-pilot areas. Many of the challenges faced by caseworkers in obtaining the necessary information for conclusive grounds decisions remained the same in the pilot as in the existing NRM system.

The proportion of cases receiving a positive conclusive grounds decision in the pilot areas during the pilot period showed no change from the previous year, although it remained higher than in the non-pilot areas. Nevertheless, making conclusive grounds decisions via multi-disciplinary panels was perceived to be transparent and credible due to the range of views heard in panels and the consensual nature of decision making.

Practitioners felt that neither the SSL role nor membership of multi-disciplinary panels were sustainable beyond the pilot period. Both roles were voluntary, taken on in addition to existing responsibilities and this stretched the resources of those involved.

# Acknowledgements

We would like to thank all practitioners involved in the National Referral Mechanism (NRM) pilot who completed a survey, gave up their time to be interviewed, or otherwise contributed to this evaluation.

We would also like to thank colleagues in the National Crime Agency and the Case Management Unit, in particular Alison Towns and Michael Dennison, who provided us with timely data over the course of the pilot.

Thank you to Crime and Policing Analysis Unit colleagues in the Home Office, in particular to Olivia Hesketh for her help, advice and significant involvement in designing the evaluation, and to Adam Fair for his input into the analysis.

Finally, thanks are due to two independent peer reviewers who commented on an earlier draft of this report.

# 1. Introduction

In 2015 a pilot was set up in two areas to test out changes to the National Referral Mechanism (NRM). This report presents findings from an evaluation of the pilot.

The NRM is the UK's identification and support system for potential victims of modern slavery. It was set up as part of the Government's obligation to identify victims under the Council of Europe Convention on Action against Human Trafficking, which came into force on 1 February 2008.<sup>1</sup> The number of potential victims referred into the NRM has increased year-on-year from 535 in 2009 (April to December) to 3,805 in 2016.<sup>2</sup> However, it is acknowledged that only a small proportion of potential victims are known to public authorities and third sector organisations, and of these not all are referred into the NRM.

The current NRM process includes three stages.

- **Identification and referral:** Once a potential victim is identified, they are referred to a designated First Responder organisation, which include certain non-governmental organisations (NGOs) and statutory agencies. These First Responder organisations can then refer potential victims into the NRM for a decision on whether an individual has been a victim of modern slavery.
- **Reasonable grounds:** The competent authority makes a 'reasonable grounds' decision, which means that they 'suspect but cannot prove' that someone is a victim. There are three competent authorities:
  - the Modern Slavery Human Trafficking Unit (MSHTU) in the National Crime Agency (NCA);
  - the NRM Hub in UK Visas and Immigration (UKVI); and
  - (in a very small number of criminal cases) Immigration Enforcement.

Adult potential victims who receive a positive reasonable grounds decision can access support, which includes at least 45 days 'reflection and recovery' support to allow the individual to begin to recover. The Salvation Army is contracted by the Government to facilitate the delivery of this support through a network of providers in England and Wales.<sup>3</sup> Support generally involves the provision of accommodation and subsistence and links to other services, dependent on need. Potential child victims are supported by children's services in the relevant local authorities.

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<sup>1</sup> **Council of Europe** (2005) *Council of Europe Convention on Action against Trafficking in Human Beings*. (Warsaw, 16 May 2005; CETS 197). Available: <https://rm.coe.int/168008371d> Accessed 4 July 2017.

<sup>2</sup> **National Crime Agency** (2017) *National Referral Mechanism Statistics – End of Year Summary 2016*. Available: <http://www.nationalcrimeagency.gov.uk/publications/national-referral-mechanism-statistics/2016-nrm-statistics/788-national-referral-mechanism-statistics-end-of-year-summary-2016/file> Accessed 23 June 2017.

<sup>3</sup> Different support mechanisms are in place for potential victims identified in Scotland and Northern Ireland.



- **Conclusive grounds:** The competent authority gathers more evidence and information about the case to make a ‘conclusive grounds’ decision. This has a higher threshold than the reasonable grounds decision and means that on the evidence available ‘it is more likely than not’ that someone is a victim of modern slavery. After receiving the conclusive grounds decision an individual has 14 days to exit support in the case of a positive decision or 2 days in the case of a negative decision.

A review of the NRM, conducted in 2014, found a number of limitations of the existing NRM model.<sup>4</sup> These included:

- low awareness of the process;
- concerns about the quality and timeliness of decision making; and
- lack of effective information sharing.

Following recommendations in the review, pilots were set up in two areas to test out three changes to the process. The three stages of the NRM were retained in the pilot areas, but there were different processes and staffing. The reasonable grounds decision was made by staff in statutory agencies who had been designated Slavery Safeguarding Leads (SSLs). The casework and decision making for the conclusive grounds decision were separated with the establishment of a Case Management Unit (CMU) and multi-disciplinary panels (MDPs). The process remained the same in other areas of the UK (see Figure 1).

## Slavery Safeguarding Leads

Members of staff in statutory agencies (police, local authorities, UKVI, the NCA, the NHS, and the Gangmasters and Labour Abuse Authority [GLAA]) were designated as SSLs by their organisations. This was in addition to their existing roles. SSLs had three main functions:

- to make reasonable grounds decisions on cases referred to them by frontline workers;
- to help and advise others on how to identify victims of modern slavery and to support them in completing NRM referrals; and
- to work within their organisation to raise awareness of modern slavery and to encourage the referral of potential victims to the NRM.

## Multi-disciplinary decision-making panels

MDPs were set up to make conclusive grounds decisions. The panels comprised representatives from a range of statutory agencies and NGOs who were unpaid volunteers. Three paid panel chairs were appointed by the Home Office. Members of the panel were convened as required and met by teleconference (usually about every two weeks). The panels discussed the cases and could request additional information if they thought that they did not have enough information for a decision. If a panel made a negative decision, it was reviewed by one of the other chairs.

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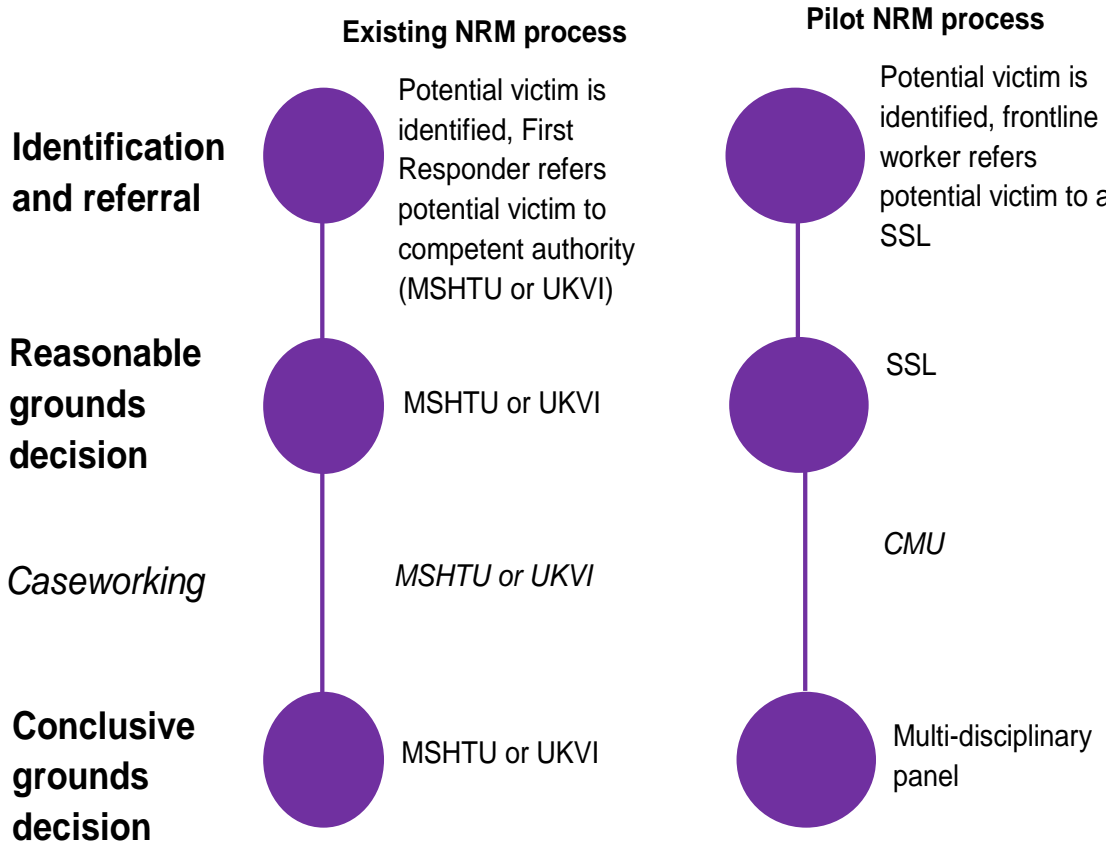
<sup>4</sup> Home Office (2014) *Review of the National Referral Mechanism for victims of human trafficking*. Available: [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/467434/Review\\_of\\_the\\_National\\_Referral\\_Mechanism\\_for\\_victims\\_of\\_human\\_trafficking.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/467434/Review_of_the_National_Referral_Mechanism_for_victims_of_human_trafficking.pdf) Accessed 26 June 2017.

## Central Case Management Unit

The CMU carried out the casework. It gathered the relevant information, wrote a case summary and submitted the case for the MDP to make the conclusive grounds decision. The CMU comprised one full-time member of staff seconded from MSHTU and two part-time staff from UKVI.

SSLs and panel members received training to carry out their roles. The training has not been looked at as part of this evaluation but has been examined in a report by Unseen UK.<sup>5</sup>

**Figure 1: Existing and pilot National Referral Mechanism processes**



## The pilot areas

The changes to the NRM process were piloted in West Yorkshire police force area and in the South West of England (comprising the police force areas of Avon & Somerset, Devon & Cornwall, Dorset, Gloucestershire, and Wiltshire). All other areas in the UK therefore represent the non-pilot areas. The pilot commenced on 3 August 2015 when the CMU was set up. Before SSLs were introduced on 1 November 2015, MSHTU and UKVI made the reasonable grounds decision on cases in the pilot areas and then passed these to the CMU to prepare the casework. The first MDP sat on 22 October 2015.

The pilot officially ended on 31 March 2017, but SSLs could no longer make reasonable

<sup>5</sup> Unseen UK (2016) *The National Referral Mechanism Pilots: A Review of the Training*. Available: <http://www.unseenuk.org/uploads/20160609115454807.pdf> Accessed 26 June 2017.

grounds decisions and the CMU took no new cases after 31 December 2016. In the last three months of the pilot, cases were allocated to either MSHTU in the NCA or the NRM Hub in UKVI to make the conclusive grounds decision, as in the existing NRM process. In order to make comparisons between the pilot and non-pilot areas this report includes findings for cases referred up to the end of December 2016.

## 2. Aim and scope of the evaluation

Crime and Policing Analysis conducted an evaluation of the pilots, looking at the role of the Slavery Safeguarding Leads (SSLs), the Case Management Unit (CMU) and multi-disciplinary panels (MDPs). The evaluation was set up to look at the pilot process and how it compares to the existing National Referral Mechanism (NRM) process. It does not assess the existing NRM process. The evaluation:

- compared the outcomes and timeliness of NRM decisions in the pilot areas with those in the non-pilot areas and for both areas before and after the implementation of the pilot; and
- considered how the pilot process was implemented, what worked well, and the barriers and issues faced.

Both quantitative and qualitative data were collected for the evaluation, as outlined below.

### Quantitative data

The evaluation analysed data from the CMU (for the pilot areas) and the Modern Slavery Human Trafficking Unit (MSHTU) in the National Crime Agency (for the non-pilot areas). Data were collected for the baseline year (the year before the pilots, 3 August 2014 to 3 August 2015) and the 20-month duration of the pilot. The non-pilot areas encompassed all areas in the UK that were not included in the pilot.<sup>6</sup> The data covered the following.

- Characteristics of potential victims, including age, gender, country of origin, claimed exploitation type, location of exploitation and location at which they were identified as potential victims.
- First Responder organisation and, for pilot cases, SSL organisation.
- Dates of referral, reasonable grounds decision and conclusive grounds decision. Additionally for pilot cases, the date that the case was ready to be sent to panel.
- Reasonable and conclusive grounds decision outcomes.
- Accommodation provider.
- For the pilot areas, details of the progress of the case through the panel process.

Basic information was also collected about the pilot process including details of SSLs and panel members, frequency of panels and caseload per panel. Differences between the pilot and non-pilot areas and between baseline and pilot periods were tested for statistical significance. To

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<sup>6</sup> The analysis presents findings for the pilot areas as a whole and does not distinguish between the two pilot areas, given the relatively small number of referrals (98) in the South West. Cases were classed as falling within the pilot areas in the baseline year if the potential victim presented in West Yorkshire or the South West. The location of presentation was unknown in 368 (13%) of cases; these cases have been classed as 'non-pilot area' cases. However, they may have fallen within the pilot areas.

test differences between outcomes Pearson's chi-squared was used as the data were categorical. To test differences between average (median) timeliness, the Mood's median was used. Statistical significance was tested at the 5 per cent level, which means that there is a 5 per cent or less likelihood that the observed differences or associations are due to chance. All quantitative analysis was carried out using the SPSS statistics software package.

## Qualitative data

The researchers conducted interviews and carried out surveys to consider:

- how the new approaches were being implemented; and
- the perceived credibility and quality of the decision-making processes.

The qualitative research comprised the following.

- **Two online surveys with SSLs.** The surveys asked the SSLs about how they carried out their role and the barriers they faced. The first of these was conducted in February 2016 and had 31 responses. The second survey was conducted in May 2016 and had 33 responses out of 70 SSLs who had been trained and security cleared at that time; of those 33 responders, 17 had also completed the first survey.
- **Interviews with members of the CMU.** The interviews asked the caseworkers about how the processes were working in practice and their views on other aspects of the pilot. Researchers interviewed all three members of the CMU in April 2016. Three follow-up interviews, some with new staff members, were conducted with the CMU in March 2017. These looked in more detail at experiences of the pilot and whether there had been any change over time.
- **Interviews with panel members.** Semi-structured interviews were conducted with ten members of MDPs in April and May 2016. The interviews asked for practitioners' views of the panel process. The panel members came from a range of agencies and from both pilot areas. Of the ten interviewed, two came from the police, two from local authorities, three from non-governmental organisations (NGOs), one from UKVI, one from the Gangmasters and Labour Abuse Authority (GLAA) and one from the NHS. The team also conducted shorter interviews with four panel members who had not yet sat on a panel in July 2016. Of these one was from the police and three were from local authorities.
- **Interviews with panel chairs.** The team conducted interviews with all three panel chairs in May and June 2016.
- **Interviews with support providers.** Interviews with support providers from The Salvation Army (which manages the NRM support contract) and with three sub-contractors, which each run support in local areas, were used to capture their views of what potential victims going through the NRM process thought about the process. The support providers supported potential victims with a range of needs in both pilot and non-pilot areas. These interviews were used to gain a better understanding of potential victims' experiences and perspectives of the pilot process. It was felt that it was not ethically appropriate to interview potential victims directly. This was because they were potentially vulnerable and there was a risk of re-traumatising them.

The researchers also attended the NRM Pilot Steering Group (the oversight body for the pilots) and meetings and workshops with external stakeholders. In addition, they listened in to decision-making panels to understand more fully how the pilots were operating and to appreciate the wider context.

## Limitations

The principal limitation to the evaluation is that the characteristics of potential victims referred in the pilot areas during the pilot period were different from those referred in the non-pilot areas (see Annex B, Table B1). Furthermore, there was an increase in referrals across the country from the baseline year to the pilot period and the composition of cases referred to the NRM also changed. For example, more cases of child sexual exploitation were referred (see Annex B, Table B2). As a result differences in the measures of outcomes and timeliness between the pilot and non-pilot areas and between baseline and pilot periods may have occurred as a result of these changing characteristics rather than as a consequence of reforms to the process.

Different lengths of time for baseline and pilot periods also raise an issue for comparison of baseline and pilot figures. This is particularly the case for the figures on the timeliness of conclusive grounds decisions. As a result, comparisons between timeliness of conclusive grounds decisions between baseline and pilot periods should be treated with caution.

In addition, it should be noted that the analysis excludes cases that do not meet the inclusion criteria for the pilots, i.e. cases processed by the Criminal Casework Directorate, detained Fast Track cases, and those in immigration detention or the prison estate. The analysis also does not take account of the time between the date of identification of a potential victim and the date they are referred to the NRM; this information is not captured by MSHTU, UKVI or the CMU.

## 3. Findings

### Numbers and characteristics of potential victims

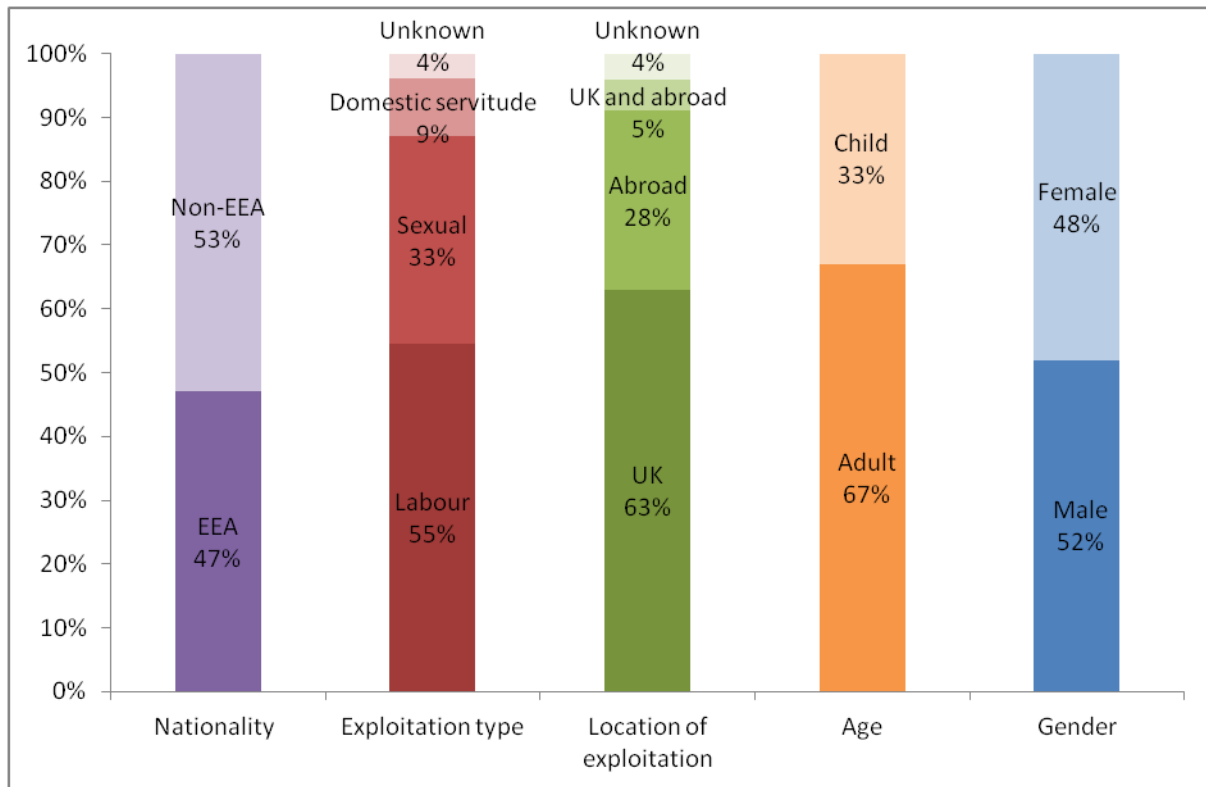
In the 17 months in which the pilots were receiving referrals (to end December 2016) 404 potential victims were identified and referred to the National Referral Mechanism (NRM) in the pilot areas. The majority (76%) of these were in West Yorkshire. The average number of referrals in the pilot areas increased from 20 per month in the baseline year to 24 per month in the pilot period. There was a similar increase in the non-pilot areas, from 200 per month in the baseline year to 248 per month in the pilot period. More details of the characteristics of referrals in each pilot area can be found in Annex B, Table B1.

The characteristics of potential victims in the pilot areas were generally different from those in the non-pilot areas. This reflects the make-up of the pilot areas in terms of their industries, population and location. In particular there was a higher proportion of European Economic Area (EEA) nationals (47%) in the pilot areas compared with the non-pilot areas (25%). Because generally EEA nationals in the NRM have different characteristics to those from countries outside the EEA, a higher proportion of potential victims in the pilot areas:

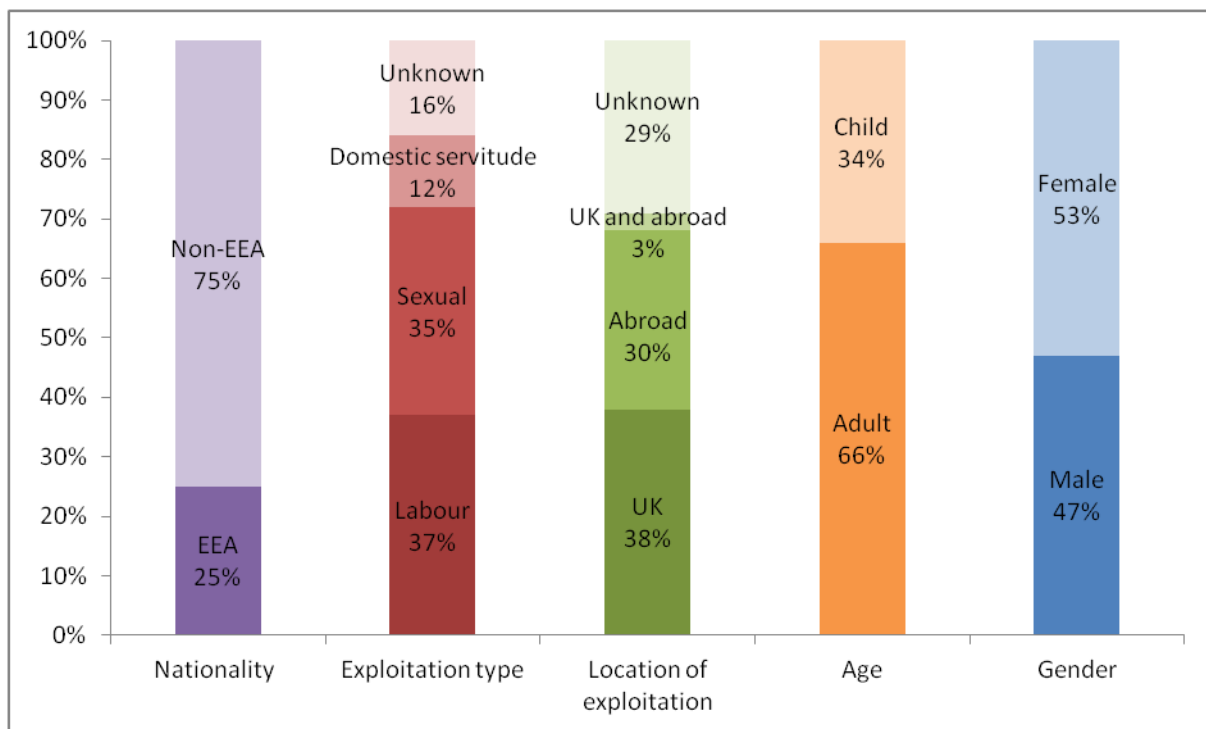
- reported that the exploitation was taking place in this country;
- reported labour exploitation; and
- were male.

These different characteristics (see Figures 2 and 3 and Annex B, Table B1) should be borne in mind as they may influence the differences in outcomes and timeliness between the different areas.

**Figure 2: Characteristics of potential victims referred in the pilot areas during the pilot period**



**Figure 3: Characteristics of potential victims referred in the non-pilot areas during the pilot period**





## Decisions

### Referral and reasonable grounds decisions

In the pilot areas the reasonable grounds decision was made by the Slavery Safeguarding Lead (SSL) in the local area. During the pilots there were 78 SSLs in 7 different types of organisations.<sup>7</sup>

The vast majority of cases were dealt with by SSLs in the police, UK Visas and Immigration (UKVI) and local authorities (Table 1). During the entire period in which SSLs were in place, around half of SSLs had dealt with one or two referrals each and the average (median) number of referrals dealt with by SSLs in the pilot was three. Although SSLs were based in local statutory agencies, 17 per cent of referrals to SSLs came from non-governmental organisations (NGOs), compared with 6 per cent of referrals to the competent authorities in the baseline year and 13 per cent in the non-pilot areas.

**Table 1: Number of reasonable grounds decisions made by Slavery Safeguarding Leads in each organisation**

SSL organisation	Total number of reasonable grounds decisions	Number of positive reasonable grounds decisions
UKVI	107	86
Police	106	101
Local authority	94	92
GLAA <sup>1</sup>	11	10
<i>Total</i>	<i>318</i>	<i>289</i>

Note:

1 GLAA – the Gangmasters and Labour Abuse Authority.

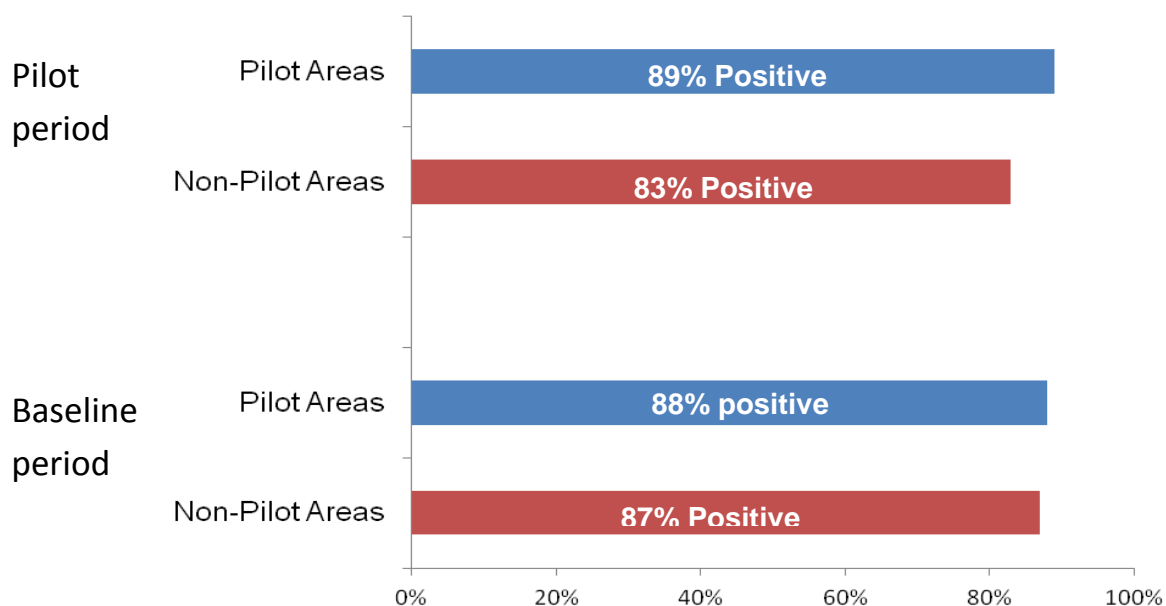
#### *Decision outcomes*

A higher proportion of potential victims received a positive reasonable grounds decision in the pilot areas (89%) compared with the non-pilot areas (83%).<sup>8</sup> Testing confirmed this, showing a statistically significant difference between decision outcomes in the pilot and non-pilot areas. However, there was no statistically significant difference in the reasonable grounds decision outcomes in the pilot areas during the pilot period compared with the baseline year (89% positive compared with 88% positive), while there was a statistically significant decrease in the non-pilot areas (to 83% from 87%), see Figure 4 and Annex B, Table B3.

<sup>7</sup> SSLs who had been trained and security cleared, as at 27 June 2016.

<sup>8</sup> All decision outcomes exclude cases pending reasonable grounds decision and those where nationality is unknown.

**Figure 4: Proportion of cases receiving a positive reasonable grounds decision for the pilot and non-pilot areas during the pilot and baseline periods**



Over the pilot period there were comparatively few negative reasonable grounds decisions given by SSLs (29) and most of these (21) were made by SSLs in UKVI (Table 1). There were indications from the survey that some SSLs were concerned about the implications of making a negative reasonable grounds decision, both for the potential victims and for their organisation. Risks identified for the latter included a potential judicial review of the actions taken to make the decision, and reputational damage. Taking on the legal risk (with attendant costs and reputational damage) of a judicial review was cited by a couple of local authorities as a reason for withdrawing or not engaging with the pilot.

Caseworkers reported generally agreeing with the reasonable grounds decisions made by SSLs, noting the low threshold for the decision and availability of information. In the small number of cases where they disagreed, they were unable to challenge the decision.

### *Decision timeliness*

Reasonable grounds decisions were made more quickly in the pilot areas than the non-pilot areas. Since the pilot was introduced, the average (median) length of time between referral and the reasonable grounds decision decreased from six to one calendar day.<sup>9</sup> This decrease was statistically significant. The average (median) time remained six days in the non-pilot areas. Guidance issued to SSLs stated that they should aim to make the reasonable grounds decision on the same working day as receiving the referral.<sup>10</sup> In contrast, guidance in the non-pilot areas stated that the reasonable grounds decision should, where possible, be made within five working days of receiving the referral.<sup>11</sup>

<sup>9</sup> Days are presented as the average (median) number of calendar days between two dates. The median was used because it is the least susceptible to outliers (values that are unusual compared to the rest of the data), for example cases which have taken a very long time to process

<sup>10</sup> Home Office (2015) *National Referral Mechanism Pilots: Slavery Safeguarding Lead guidance*. Available: [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/475716/2015-10-30\\_SSL\\_guidance\\_v1\\_0.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/475716/2015-10-30_SSL_guidance_v1_0.pdf) Accessed 3 July 2017.

<sup>11</sup> Home Office (2016) *Victims of modern slavery – Competent Authority Guidance*. Available: [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/521763/Victims\\_of\\_modern\\_slavery\\_-\\_Competent\\_Authority\\_guidance\\_v3\\_0.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/521763/Victims_of_modern_slavery_-_Competent_Authority_guidance_v3_0.pdf) . Accessed 3 July 2017.

SSLs reported taking between one and four hours to complete a case. Most SSLs did not speak directly to the potential victim. The most common reason given for a decision taking longer than one working day was waiting for information from a frontline worker or other agency. There were concerns expressed by SSLs that they had to take time away from their day job to deal with NRM referrals within the time period.

### *Role of Slavery Safeguarding Leads*

Generally, the role of the SSL was viewed positively. SSLs, caseworkers, panel members and support providers were all positive about quicker reasonable grounds decisions. This was because they could enable potential victims to access support earlier, and law enforcement agencies could begin interventions more quickly. However, some said that there were negatives of the quicker decision making, including not having time to do a Police National Computer (PNC) check for previous convictions of the potential victims. This had implications for safeguarding, for example, ensuring staff and other potential victims are safe in support accommodation.

SSLs said that they found the role interesting and appreciated their increased awareness of modern slavery, the NRM and support services. Many SSLs reported undertaking activities beyond decision making, such as giving advice about modern slavery to local practitioners. They felt that the role had increased knowledge at a local level and helped to keep modern slavery *“on the agenda”* (local authority respondent).

However, there were some issues raised in relation to carrying out the SSL role. Some SSLs were concerned about the level of resources needed for the role, both to be able to respond immediately when a referral came and to provide 24/7 cover. One local authority respondent noted *“regular work commitments have to be put on hold for the time of the case”*. Some SSLs and members of the Case Management Unit (CMU) raised concerns about the ability of SSLs to build up expertise as they only dealt with a small number of cases at irregular intervals. Members of the CMU also highlighted variation in the quality of information provided by different SSLs relating to their reasonable grounds decisions and in the suitability of referrals from some NGOs who had not previously been making NRM referrals.

In the surveys with SSLs and interviews with CMU staff some concerns were raised that less experienced decision makers may be more cautious about giving negative reasonable grounds decisions. SSLs tended to be less senior people within an organisation whereas panel members tended to be more senior. One NGO panel member commented that this was *“interesting ... I think the SSL role is a far harder decision to make and has far greater ramifications ... than the MDP role”*. However, generally CMU staff said that they agreed with the decisions of SSLs given the limited information available at this stage.

## **Conclusive grounds decisions**

Conclusive grounds decisions were made by multi-disciplinary panels (MDPs), usually consisting of five members. MDPs were introduced to improve the credibility and transparency of the conclusive grounds decision-making process and to achieve the ‘best informed’ outcome for modern slavery cases referred for a decision. The panels met by teleconference with each meeting lasting about two hours. There were 34 panels over the course of the pilot that reviewed 282 cases, an average of 8 per panel.<sup>12</sup> Around two-thirds of the trained panel

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<sup>12</sup> As at 12 April 2017.

members (40 out of 65) took part in a panel.<sup>13</sup> The reasons why panel members had not sat on a panel included problems with scheduling meetings and concern about the time commitment required.

Most panels included representatives from the police, local authorities, UKVI and NGOs. Additional representatives with specialist knowledge in certain areas were brought in for certain panels, for instance the Gangmasters and Labour Abuse Authority (GLAA). Most panels also had a child specialist if they were deciding on child cases. More details of the number of panels attended by each agency can be found in Annex B, Table B4.

Generally, panel members thought that the spread of agencies involved in the panels was good. The police, social services and voluntary sector panel members were felt to be particularly helpful.

### *Decision outcomes*

There was no statistically significant difference in conclusive grounds decisions between the baseline year and the pilot period in the pilot areas. The proportion of positive conclusive grounds decisions was 43 per cent during the pilot period and 42 per cent in the baseline year. Nor was there any statistically significant difference in conclusive grounds decisions in the non-pilot areas over time (see Figure 5 and Annex B, Table B5).

There was a statistically significant difference between decision outcomes in the pilot and non-pilot areas. A higher proportion of cases received a positive conclusive grounds decision in the pilot areas (43%) during the pilot period compared with the non-pilot areas (21%). The differing characteristics of cases between pilot and non-pilot areas and the higher proportion of cases pending a conclusive grounds decision in the non-pilot areas compared with the pilot areas (47% and 35% respectively) complicate this picture.<sup>14</sup>

### *The role of the multi-disciplinary panels*

The MDPs were valued by almost all the practitioners interviewed. They were seen to be transparent, credible and beneficial for the decision-making process, particularly by panel members and support providers. One of the panel chairs said *“it [the process] gives real credibility and really brings through the voice of ... the victims”*. The separation of the investigation process and the decision-making process was also seen as advantageous as this maintained a degree of independence in the decision-making process.

In interviews panel members mentioned a number of benefits of the multi-agency decision-making process. The range of skills and experience of panel members was seen to be very important for good decision making. One panel member from an NGO said *“whilst you may form an opinion from your own perspective, the sum of the parts is greater”*. The discussion generated in the panels allowed for checks and balances on the decision making of others.

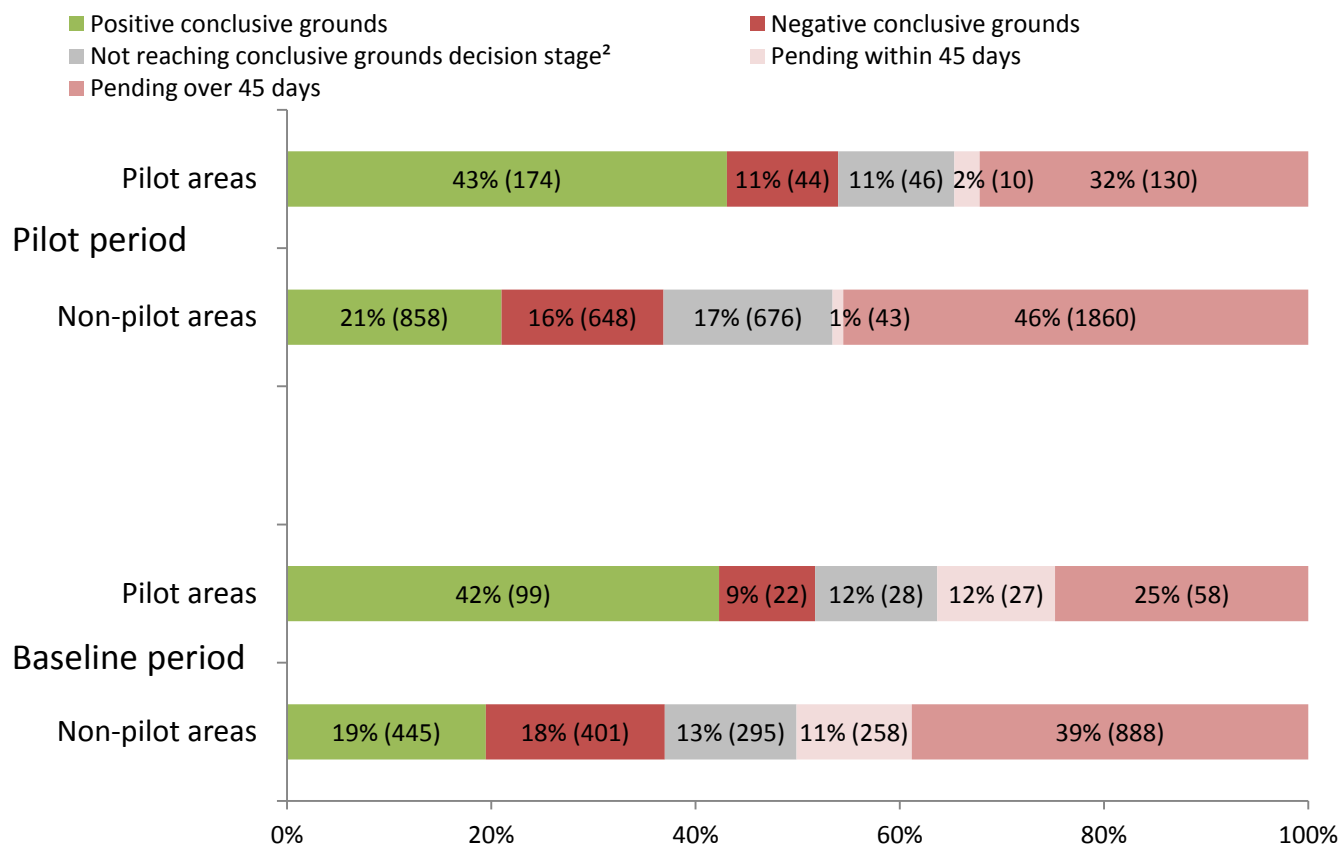
One police panel member said *“there was a freedom and a confidence to express a view and there was a good discussion, which often involved challenges and difference of opinion”*. Generally, panel members valued the opportunity to learn from others and to break down barriers between organisations.

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<sup>13</sup> Panel members who had been trained and security cleared as at 27 June 2016.

<sup>14</sup> Cases pending conclusive grounds decision as at 31 December 2016.

**Figure 5: Conclusive grounds decision outcomes, including pending cases, for the pilot and non-pilot areas during the pilot and baseline periods**



Notes:

<sup>1</sup> Excludes cases pending reasonable grounds decisions and where nationality was unknown. 'Negative conclusive grounds' includes cases that were suspended or withdrawn. Percentages may not sum to 100 per cent due to rounding.

<sup>2</sup> Refers to cases that received a negative reasonable grounds decision or were suspended or withdrawn pre-reasonable grounds decision.

Panel members said that they generally made up their minds on the evidence from the CMU before the panel meetings, although most reported changing their mind on a few occasions as a result of the panel discussion. The final decision was a consensus between panel members, agreed by a vote.

Panel members said that the main challenges to making the conclusive grounds decision were:

- if there was not enough or the right kind of information;
- difficulties in knowing how to apply the threshold; and
- a lack of confidence and experience.

There were concerns about the range of evidence on which to base decisions, particularly for those claiming to have been exploited abroad. Panel members said they had least confidence in these decisions.

Panel members felt that there was no essential difference in making decisions on EEA and non-EEA cases, but sometimes underlying factors such as the type and quality of information

available differed. Some panel members found the asylum interview useful, but others thought the questions were not specific enough around the indicators of trafficking.<sup>15</sup>

All panel members interviewed reported not being concerned about making negative conclusive grounds decisions. However, some thought that other panel members erred on the side of a positive decision based on the information available to them, with fewer challenges to the credibility of potential victims than when the decisions were made by competent authorities. Some interviewees also felt that some panel members, who did not have previous experience of modern slavery, had less knowledge, and found decision making difficult and the panels intimidating. However, members of the CMU felt that panel members gained experience throughout the pilot.

In the pilot areas, cases that received a negative conclusive grounds decision were automatically reviewed by a second panel chair. All panel chairs agreed having a 'second pair of eyes' reviewing the negative decisions was a good system. One negative decision was overturned following the review.

Overall panel members were positive about MDPs, in particular the value of bringing together professionals from a range of agencies. Almost everyone said that they were confident in the decisions made by the panel in almost all cases. One NGO panel member said *"having different disciplines meet together and exchange views and different perspectives on the same set of facts is invaluable"*.

However, there were concerns about resources. Some panel members felt that the amount of time to prepare for (a minimum of three hours for each panel) and sit on panels (a minimum of two hours for each panel) was not sustainable for volunteers beyond the pilot period. It was reported that some members, after training, felt that they did not have the time to put into being a member of the panel. There were also some complaints about the organisation of panels; these concerned late cancellations and the IT being slow and cumbersome.

## Caseworking

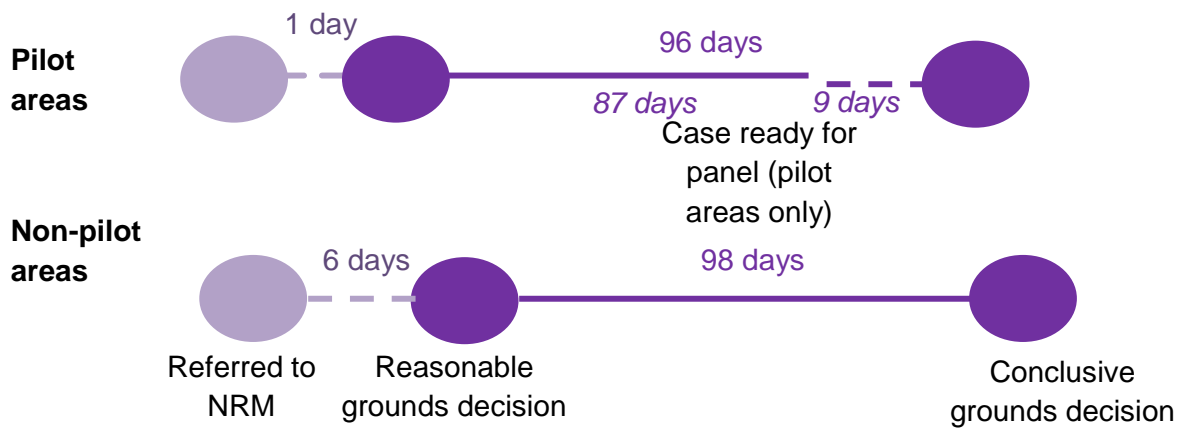
In the pilot areas the decision making was separated from the caseworking function, with the CMU dealing with all cases, while previously the NRM Hub in UKVI handled non-EEA cases and the Modern Slavery Human Trafficking Unit (MSHTU) processed EEA cases. The CMU took no new cases after the 31 December 2016 to allow it to complete as many cases as possible before the end of the pilot.

The CMU was introduced to streamline the case management process and to improve the consistency of caseworking. On average it took 96 days between reasonable and conclusive grounds decisions in the pilot areas, representing no statistically significant difference from the 98 days it took in the non-pilot areas. However, in the pilot areas this time of 96 days included 9 days for panel members to prepare for the MDP by reading the case material and then attending the panel. Excluding this time suggests that the casework itself on average took 87 days in pilot areas. In the non-pilot areas the 98 days it took on average between reasonable and conclusive grounds would be equivalent to the time for caseworking as a decision will be made as soon as caseworking is complete. So it appeared that caseworking itself took less time in the pilot areas compared with the non-pilot areas (Figure 6 and Annex B, Table B6).

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<sup>15</sup> Only cases where the potential victim has claimed asylum in addition to their referral to the NRM will include an asylum interview.

**Figure 6: Average (median) timeliness of decision making in the pilot and non-pilot areas**



Note:

1 Timeliness calculations only included cases that had received a conclusive grounds decision as at 31 December 2016.

There were a high number of pending cases in both the pilot and non-pilot areas. Figure 5 shows the proportion of caseloads that had received a decision as at 31 December 2016, and the proportion of pending cases that had been pending a decision for more than 45 days. The cut-off at 45 days was selected as this is the minimum length of time for which potential victims are entitled to receive support (although many have support for longer and some do not take any support).

The characteristics of cases pending a conclusive grounds decision tended to be different in the pilot and non-pilot areas. This reflects the different characteristics of potential victims referred in the pilot and non-pilot areas (see Annex B, Table B7).

### *Role of the Case Management Unit*

The role of the CMU was to provide information to the MDPs to enable them to make a decision. Generally, panel members were content with the amount of information provided by the CMU and they valued the range of information so they could draw their own conclusions about the weight of evidence. Panel members said that the most useful information was that which corroborated the potential victim's testimony, especially police reports. Some panel members felt that more information from the Foreign Office, or specific information such as the minimum wage or labour laws in the country where the exploitation occurred, would be helpful where the exploitation had happened abroad.

The types of challenges faced by members of the CMU were similar to those encountered in the existing NRM system. Caseworkers in interviews outlined some of these challenges.

- The information needed to make the conclusive grounds decision may not be available at the beginning of the caseworking process. This could be for a number of reasons including:
  - the potential victim not being ready to disclose;
  - the police not having conducted an investigation; or
  - asylum teams in UKVI have not having carried out an asylum interview.
- The gathering of relevant evidence and information was often time consuming. The caseworkers needed to have specific details on the instance(s) of modern slavery to

put a case to panel, as well as, if possible, corroborating evidence from the police or a support provider.

Members of the CMU reported that the time taken to gather all the required evidence varied depending on each individual case. Factors that made caseworking more or less straightforward included:

- how often members of the CMU had to chase agencies for information;
- how long it took to find the 'right' person to collect information from; and
- whether the agencies were still gathering information (for example, a police investigation or an asylum interview).

These difficulties could arise for both EEA and non-EEA cases, but more complicated cases tended to concern non-EEA nationals. In some cases the exploitation was claimed to have happened abroad, where it may be more difficult to collect information. In other cases the exploitation was disclosed in asylum interviews and required more investigation than if the exploitation was uncovered as part of a police operation.

There was often a lack of supporting evidence, in particular for cases of exploitation abroad. However, most panel members were aware that it is difficult to gather any information about these cases. The CMU reported that requests for this kind of information from panels became less common over the course of the pilot. Panels sometimes asked for further information that was not available, for example, because there were no contact details for the potential victim.

One MDP member felt that the CMU was collecting information in order to reach a *"tipping point"* as to whether the conclusive grounds decision should be positive or negative, but should instead be merely collecting enough to make a clear decision with a reasonable weight of evidence behind it. However, those working in the CMU had a different perspective. One caseworker commented *"there is no point sitting on cases ... so sometimes you just have to cut it off and say this is all the information that is available"*. Caseworkers in the CMU felt that their background experience in caseworking helped them to know when all the required information had been collected to make a decision or when it was not feasible to gather any more information.

Many of the issues raised by the CMU were similar to the non-pilot caseworking problems, such as difficulties gathering information from other agencies and waiting for asylum interviews to use as evidence. However, the following particular issues were raised in relation to the separation of caseworking and decision making in the pilot.

- Concerns that the CMU was a de-skilled role.
- Preparing casework associated with a conclusive grounds decision in advance of the decision was difficult, as members of the CMU did not have an idea of which way the decision was going to go. This slowed the process of notifying the potential victim of the decision. One of the support providers raised concerns that the letters detailing why a negative conclusive grounds decision had been made could arrive after the potential victim had left support with no forwarding address.
- In a few cases the panel had asked for additional information that it was not possible to get, for example, if a potential victim was not willing to disclose.
- There was limited feedback from panels about the usefulness and relevance of



paperwork from the CMU.

Members of the CMU also raised concerns about the lack of experience and support for SSLs and panel members, which could have implications for the quality of their decision making and their ability to cope with the work. The CMU was frustrated that it could not query decisions.

There were a number of other issues raised by CMU members with the running of the pilot, including frustrations with the IT not being fit for purpose, particularly at the start of the pilot, and a general lack of resource in terms of insufficient staffing to process the necessary paperwork.

### *Changes over the course of the pilot*

The CMU reported changing the way that it requested information from other agencies during the course of the pilot to make the requests more precise. This improved the responses it received. It also reported getting better at knowing when to send a case to the panel and what kinds of information the panel would need in order to make a decision.

The CMU reported an improvement over time in the quality of the information it received from external agencies such as the police and local authorities. It felt that the panels got better at knowing what kinds of information were and were not available. The CMU reported that social workers and support providers tended to be more forthcoming with information once it had been explained to them that the NRM process was separate from the asylum process.

## Views of victim support providers

The research team interviewed The Salvation Army and three other support providers. Support providers had noticed little difference between potential victims going through the pilot and non-pilot process in terms of victim experience. However, they were generally positive about some of the changes to the process in the pilot areas. In particular they welcomed:

- the quicker decision making at reasonable grounds stage; and
- the conclusive grounds decision being made by MDPs rather than by an individual caseworker as this improved credibility as it meant that a range of views could be taken into account.

The support providers raised several concerns with the NRM process in general, rather than specific issues with the pilot process.

The lack of consistency in the timeliness of decisions was seen to be unfair. This is because some potential victims were in support for long periods whereas others received their conclusive grounds decision and left support fairly quickly. However, there were differing views amongst support providers about the importance of making a quick or long decision:

- some felt that in some cases decisions can be made too quickly, leading to problems with move-on support;
- others saw lengthy decision making to be problematic, as a potential victim may become settled in support, increasing the trauma when they have to leave;
- living with uncertainty could affect the psychological wellbeing of potential victims, and some may find lengthy decisions frustrating because they want to start moving forward with their lives. One support provider said *“to live with that uncertainty ... can be quite damaging in itself”*.

Some support providers questioned the wider purpose of the NRM because they perceived that the final decision has little influence on the outcome for the victims of modern slavery. All potential victims with a positive reasonable grounds decision have access to support for at least 45 days (or until a conclusive grounds decision is made). Following the conclusive grounds decision, those with a positive decision receive a further 14 days of support while those with a negative decision must leave support within two days. However, one support provider questioned the further benefits arising from a conclusive grounds decision saying “*you get your extra 14 days, it’s not going to give you anything extra, any benefits or support or counselling.*” A similar view was put forward by a panel member from an NGO who said “*if we want to do the best by victims and see them empowered, independent and resilient ... we need to be giving them something because at the moment they are not getting anything [as a result of receiving a positive conclusive grounds decision]*”.

## Comparison between European Economic Area and non-European Economic Area cases

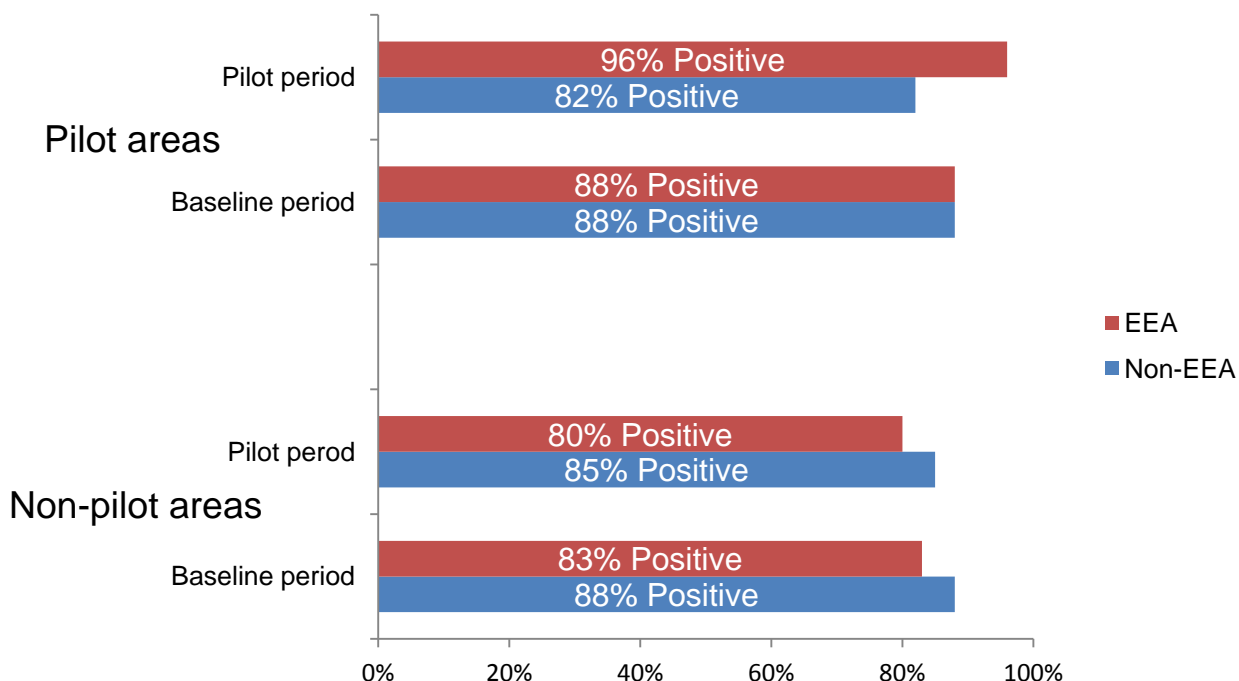
The NRM review in 2014 examined differences in positive reasonable and conclusive grounds decisions by nationality, showing that EEA nationals tended to receive a higher proportion of positive decisions. This issue was also looked at in relation to the pilot.

### *Reasonable grounds decisions*

There was no significant difference in reasonable grounds decisions between EEA and non-EEA cases in the baseline year (88% of both groups received a positive decision) in the pilot areas. In the pilot period there was a (statistically significant) difference in reasonable grounds decisions between EEA and non-EEA cases in the pilot area, with the proportion of EEA cases receiving a positive reasonable grounds decision higher (96%) than for non-EEA cases (82%), Figure 7.

The timeliness of reasonable grounds decisions showed no difference between EEA and non-EEA cases both in the baseline year and the pilot period and in both the pilot and non-pilot areas. The time taken for a reasonable grounds decision for both groups decreased (from six days to one day) in line with the overall change in pilot areas (Figure 8).

**Figure 7: Proportion of cases receiving a positive reasonable grounds decision in the pilot and non-pilot areas during the pilot and baseline periods for European Economic Area and non-European Economic Area cases**



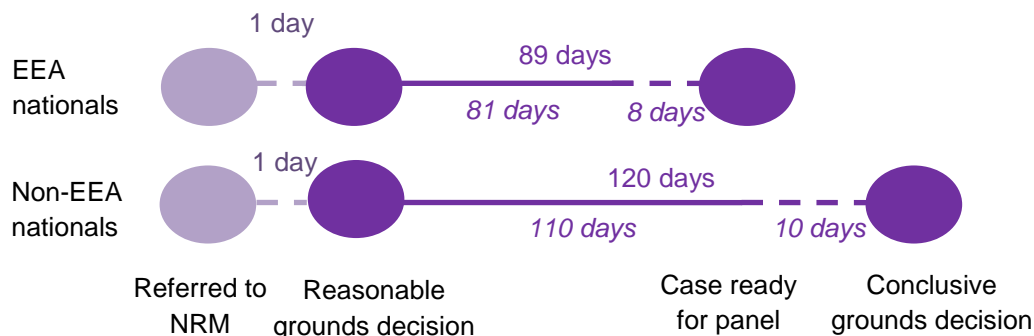
*Conclusive grounds decisions*

In the baseline period, in both the pilot and non-pilot areas, there were significant differences between EEA nationals and non-EEA nationals in conclusive grounds decisions. A higher proportion of EEA nationals received a positive conclusive grounds decision (66%) compared with non-EEA nationals (13%) in pilot areas during the baseline year. However, a higher proportion of non-EEA cases were pending a conclusive grounds decision (63%) compared with EEA cases (15%) in the pilot areas during the baseline year, which complicates this picture. These differences remained during the pilot period. There was some indication of the difference closing in the pilot areas but it remained a statistically significant difference (51% of EEA cases received a positive conclusive grounds decision compared with 36% of non-EEA cases in pilot areas).

A similar pattern was observed for the timeliness of conclusive grounds decisions. In the baseline period, in both the pilot and non-pilot areas, decisions involving non-EEA nationals took longer than those involving EEA nationals. Bringing together evidence on non-EEA cases was often more complex and time consuming than for EEA cases. This was because of the different circumstances of EEA and non-EEA cases, in particular non-EEA cases were more likely to involve exploitation that had occurred abroad. Again, these differences between EEA and non-EEA cases remained statistically significant during the pilot period. However, the difference was smaller in the pilot areas (31 days longer) compared with the non-pilot areas (112 days longer). In the baseline year, the difference between the time taken for non-EEA and EEA cases was the same in both the pilot and non-pilot areas (37 days), Figure 8.

**Figure 8: Average (median) timeliness of decision making for European Economic Area and non-European Economic Area cases**

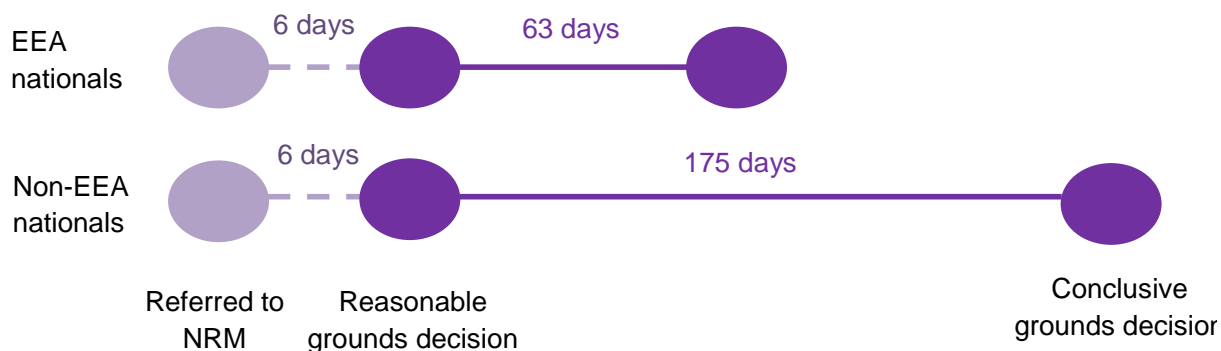
*Pilot areas, pilot period*



Note

1 Timeliness calculations only include cases that had received a conclusive grounds decision as at 31 December 2016 for the pilot period and as at 3 August 2015 for the baseline year.

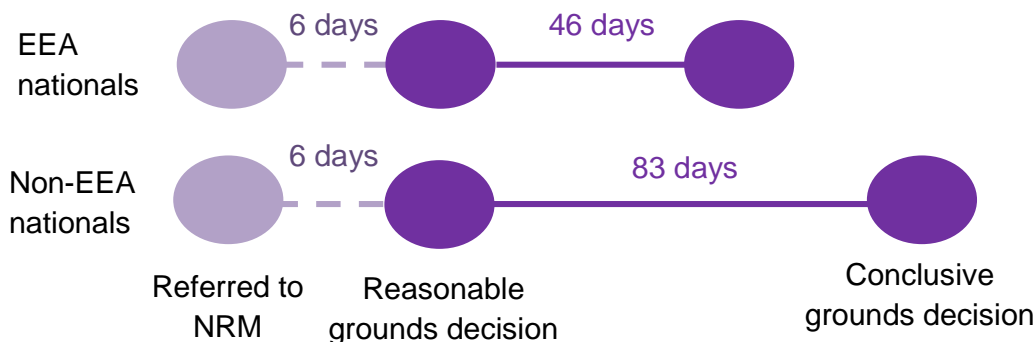
*Non-pilot areas, pilot period*



Note:

1 Timeliness calculations only include cases that had received a conclusive grounds decision as at 31 December 2016 for the pilot period and as at 3 August 2015 for the baseline year.

*Pilot areas, baseline year*

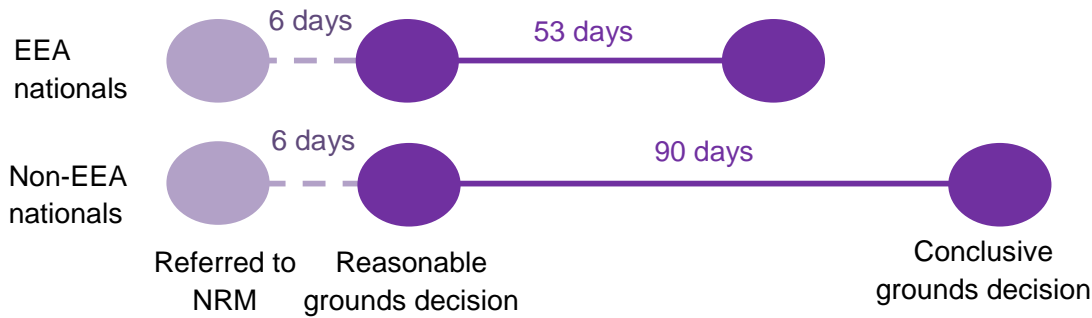


Note:

1 Timeliness calculations only include cases that had received a conclusive grounds decision as at 31 December 2016 for the pilot period and as at 3 August 2015 for the baseline year.

*(continues next page)*

## Non-pilot areas, baseline year



### Note:

1 Timeliness calculations only include cases that had received a conclusive grounds decision as at 31 December 2016 for the pilot period and as at 3 August 2015 for the baseline year.

## Children

The NRM process is different for adults and children. Potential child victims will be supported by their local authority children's services regardless of their nationality or immigration status, so do not access support through the NRM in the same way as adults.

Children made up 34 per cent of total referrals to the NRM over the course of the pilot period. There were similar proportions in the pilot (33%) and non-pilot areas (34%).

The characteristics of children referred to the NRM in the pilot and non-pilot areas were generally different. In the pilot areas there was a higher proportion of children from non-EEA countries (see Annex B, Table B9). The three most common countries of origin for children referred in the pilot areas were:

- the UK (47 children, 35%);
- Slovakia (13, 10%); and
- Vietnam (also 13, 10%).

For children referred in the non-pilot areas, the most common countries of origin were:

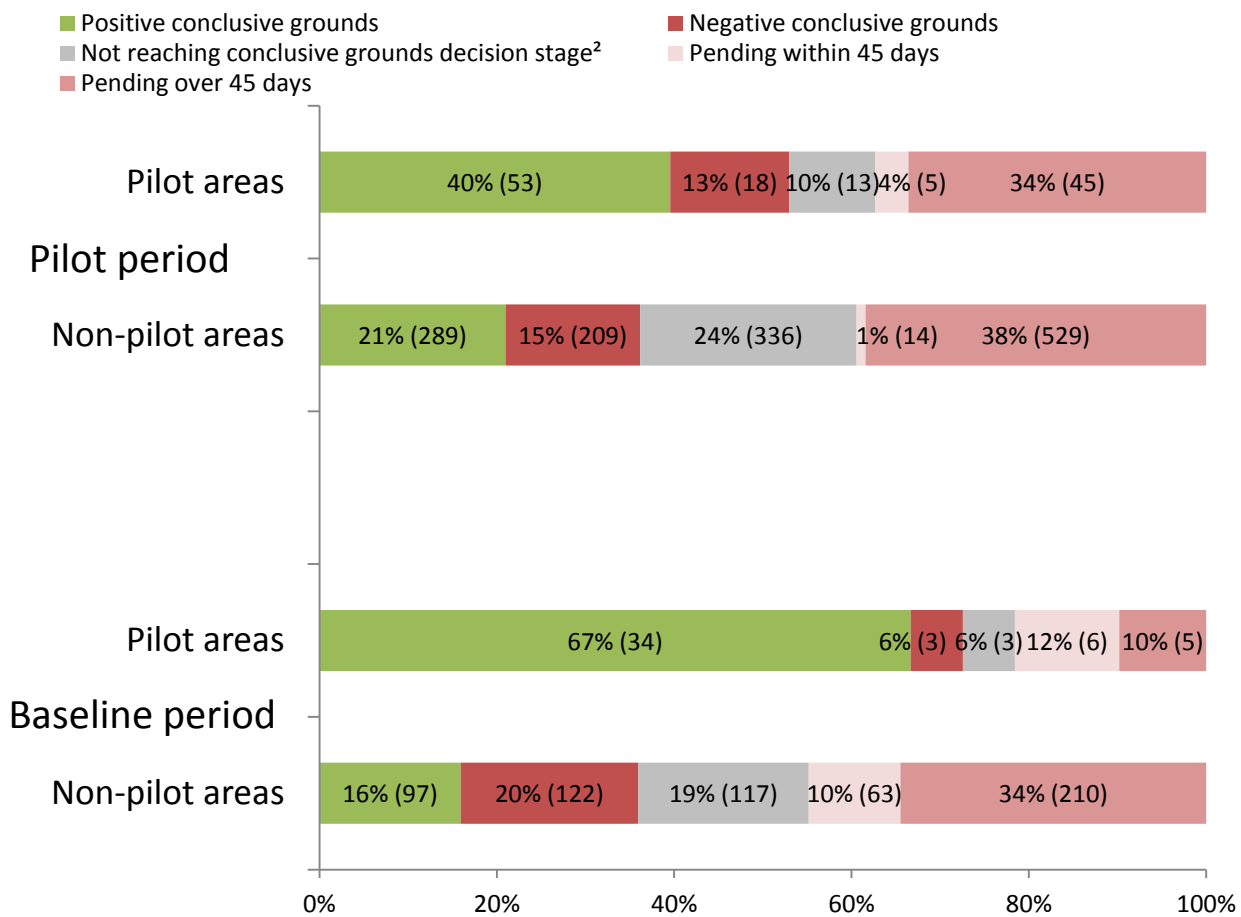
- Vietnam (305 children, 21%);
- Albania (304, 21%); and
- the UK (240, 17%).

As with the overall picture, there were differences in decision outcomes for children in the pilot compared with those in the non-pilot areas. A statistically significantly higher proportion of children received a positive reasonable grounds decision in the pilot areas (90%) compared with the non-pilot areas (76%). In the pilot areas there was no statistically significant difference in the proportion of children receiving a positive reasonable grounds decision in the pilot period compared with the previous year (90% compared with 94%). In the non-pilot areas there was a statistically significant change over time with a lower proportion of children receiving a positive reasonable grounds decision in the pilot period compared with the baseline year (76% compared with 81%).

There was a statistically significant difference in conclusive grounds decision outcomes for child

cases between pilot and non-pilot areas, as well as for both areas over time. In the pilot period a higher proportion of children received a positive conclusive grounds decision in the pilot areas (40%) than in the non-pilot areas (21%). However, relative to the baseline year this represented a decrease in the proportion of children receiving a positive conclusive grounds decision in the pilot areas (from 67% to 40%) while there was an increase in the non-pilot areas (from 16% to 21%). It should be noted that the proportion of cases pending conclusive grounds decision also changed over time, which complicates this picture. There was no statistically significant difference between the pilot and non-pilot areas in the proportion of conclusive grounds decisions for child cases pending over 45 days (Figure 10 and Annex B, Table B10).

**Figure 10: Conclusive grounds decision outcome for child cases, as at 31 December 2016 for pilot period and as at 3 August 2015 for baseline period**



Notes:

<sup>1</sup> Excludes cases pending reasonable grounds decisions or where nationality was unknown. 'Negative conclusive grounds' includes cases that were suspended or withdrawn.

<sup>2</sup> Refers to cases that received a negative reasonable grounds decision or were suspended or withdrawn pre-reasonable grounds.

## 4. Conclusions and implications

The review of the National Referral Mechanism (NRM) process undertaken in 2014 identified issues with the length of time taken for decisions and the perceived credibility and independence of decision making. The pilot aimed to address these issues by introducing:

- Slavery Safeguarding Leads (SSLs) to improve the initial referral and reasonable grounds decision;
- the Case Management Unit (CMU) to streamline caseworking; and
- multi-disciplinary panels (MDPs) to lend greater perceived independence and credibility to reaching a conclusive grounds decision.

### Timeliness and information gathering

Generally the role of SSLs was viewed positively and reasonable grounds decisions were made more quickly in the pilot areas compared with the non-pilot areas and the baseline year. However, there were issues of resourcing the role and building up expertise.

Although the average (median) time for caseworking was lower in the pilot areas (87 days) than the non-pilot areas (98 days), the great majority of cases in both the pilot and non-pilot areas took longer than 45 days (the time for 'reflection and recovery') with only 7 per cent of cases in the pilot areas and 9 per cent of cases in the non-pilot areas completed within this time. The sometimes lengthy decision making reflects the challenges in obtaining information and evidence from a variety of sources on which to make decisions. Support providers were concerned that the sometimes lengthy time for decision making and the comparatively short exit time,<sup>16</sup> along with the uncertainty around when the potential victim will receive the decision, made arranging move-on support challenging.

The types of challenges faced by members of the CMU were similar to those encountered in the existing NRM system. They made a number of suggestions for improving the timeliness of the information gathering process, including setting up information sharing agreements with other agencies. Further details of their recommendations are given in Annex A.

### Decision making

At both reasonable grounds and conclusive grounds stages, there was no difference in the decision outcomes in the pilot areas during the pilot period compared with the preceding baseline year. Nevertheless, the decision-making process in the pilot areas was seen to be credible and independent. The MDPs were valued because they allowed a range of voices to be heard and considered as part of the decision-making process.

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<sup>16</sup> The exit periods were 14 days for a positive conclusive grounds decision and 2 days for a negative conclusive grounds decision.

## Implications from the pilot

The interviews and surveys with practitioners raised some concerns, which could have implications for aspects of the NRM pilot if they were rolled out nationally.

Although the role of SSLs was seen as valuable in raising the profile of modern slavery in the pilot areas, there were concerns about the ability of SSLs to build up expertise in the role as some only dealt with a small number of cases at irregular intervals. This raises more general questions about how to build up and maintain expertise for decision makers who may have other responsibilities in addition to dealing with victims of modern slavery. There was also some questioning of the consistency of decision making by SSLs in different areas with different experiences. Again this is an issue that would need to be addressed if local decision making was instituted.

Both SSLs and MDP members were concerned about the time taken to fulfil their role, especially as this was done on a voluntary basis alongside their day job. Some panel members felt this was not sustainable for volunteers beyond the pilot period. Most SSLs came from the police (40%) and local authorities (40%)<sup>17</sup> with some other statutory agencies not engaging. Some agencies withdrew or did not engage with the pilot, either because of the resource commitment or because of the risk of judicial review from victim appeals over a negative conclusive grounds decision.

In the interviews and surveys, practitioners also made further suggestions to improve information gathering, decision making and caseworking for potential victims of modern slavery. These included providing further information to potential victims going through the process, more training for NRM referrers and accreditation for panel members (see Annex A for further suggestions).

## Wider issues

The evaluation, although focused on looking at the timeliness and outcomes of decisions, also provided opportunities for members of the CMU and the MDPs as well as support providers to give their views on wider issues concerning the NRM. These views could be useful when considering the future of the NRM.

Some interviewees felt that decision makers could have a wider role than making the conclusive grounds decisions. Suggestions for this wider role included:

- making recommendations for support and giving advice to other agencies;
- raising awareness within their own agencies of the NRM process and types of modern slavery cases; and
- gathering intelligence about common types of cases to help to prevent exploitation as well as to identify potential victims.

Ultimately, some support providers and panel members questioned the overall purpose of the NRM decisions. They believed that the final conclusive grounds decision resulted in little further

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<sup>17</sup> Of all SSLs who had been trained and security cleared as at 27 June 2016.



benefit for victims of modern slavery . All potential victims with a positive reasonable grounds decision were eligible for the same level of support while awaiting a conclusive grounds decision. Some support providers and panel members felt that although a much greater amount of time and resources were required to gather information for the conclusive grounds decision, the main benefit of a positive decision was that the victim simply received two weeks of 'move-on' support rather than two days. The pilot was not set up to address any issues following conclusive grounds decisions, these would have to be dealt with via alternative reforms to the system.

# Annex A – Suggestions for improvement

In the course of the evaluation a number of specific issues were raised about ways to improve information gathering, decision making and caseworking for potential victims of modern slavery. Some suggestions to improve the processes were put forward and they are presented here to inform future discussions.

## *Referral and collecting information*

- There was a concern that the information was collected in a safe and sensitive way, given the vulnerability of many of the potential victims. Rushing the initial National Referral Mechanism (NRM) referral, or collecting information where there was no relationship with the potential victim, could lead to poor quality information and an incorrect decision.
- Some interviewees were concerned about the lack of information available to potential victims. There was a suggestion that a standardised document could be developed to explain the NRM to potential victims.
- Support providers wanted to continue having access to the NRM referral form so that a potential victim does not have to repeat their experience and providers could better assess the risks for their own staff.
- Support providers also suggested that there should be a standardised set of questions for support providers to provide additional information to decision makers, with agreed timescales.
- Some interviewees were concerned about using the asylum interview to provide information for decision making. There was a suggestion that a bespoke interview could be conducted with potential victims instead of the asylum interview.
- There was a suggestion that there should be compulsory training and better regulation for all NRM referrers.

## *Decision making*

- There were suggestions that different types of cases could be dealt with in different timescales. For example:
  - prioritising cases where the potential victim is in support;
  - making decisions on cases where the exploitation has happened abroad earlier as often it is not possible to collect any additional information for these cases;
  - separating the child sexual exploitation cases and dealing with these in a

separate local multi-disciplinary panel (MDP).

- Another suggestion was to produce a leaflet that could be sent to the potential victim with the decision letter detailing the options or support available to them after they exited support.
- Some form of accreditation for MDP members was also suggested.

There was some discussion in the MDP member interviews about whether decision making should be locally based. Some interviewees felt that practitioners who knew the local area could add extra intelligence, and that local MDPs would encourage greater stakeholder buy-in. Others felt that the paperwork could give an understanding of regional trends, and that it was helpful to have an understanding of the national/international picture. There were also contrasting views as to whether it was useful that some panel members had previous knowledge of a case.

### *Caseworking*

Staff in the Case Management Unit (CMU) had a number of suggestions for improving caseworking, including:

- ensuring that there are links with all relevant organisations and having a single point of contact within each organisation;
- raising awareness of the NRM within agencies such as the police and social services, so that they understand what information is needed and why it is needed;
- setting up data sharing agreements with outside agencies, including timelines within which they were required to provide information or an update;
- having an administration team to do all of the pre- and post-decision paperwork; and
- closer working between The Salvation Army, other support providers and caseworkers could make for smoother running and better availability of information.

Some members of the CMU thought that it was important that caseworkers had a background in caseworking so that they knew how to set out a case to give all the relevant evidence.

Generally, workers need time to build up expertise in patterns of exploitation and to know when all the required information had been collected on which to make a decision.

## Annex B – Data tables

**Table B1 Characteristics of cases referred to the National Referral Mechanism in the pilot and non-pilot areas during the pilot period**

Characteristic	Area			
	% (count)			
Age	South West	West Yorkshire	Total pilot areas	Non-pilot areas
Adult	64 (63)	67 (207)	67 (270)	66 (2,708)
Child	36 (35)	32 (99)	33 (134)	34 (1,377)
<i>Total</i>	<i>100 (98)</i>	<i>100 (306)</i>	<i>100 (404)</i>	<i>100 (4,085)</i>
Gender	South West	West Yorkshire	Total pilot areas	Non-pilot areas
Female	46 (45)	48 (147)	48 (192)	53 (2181)
Male	54 (53)	52 (159)	52 (212)	46 (1,899)
Transgender	0 (0)	0 (0)	0 (0)	<1 (5)
<i>Total</i>	<i>100 (98)</i>	<i>100 (306)</i>	<i>100 (404)</i>	<i>100 (4,085)</i>
Exploitation Type	South West	West Yorkshire	Total pilot areas	Non-pilot areas
Labour Exploitation	61 (60)	53 (162)	55 (222)	37 (1,521)

Sexual Exploitation	24 (23)	36 (109)	33 (132)	35 (1,435)
Domestic Servitude	7 (7)	9 (28)	9 (35)	12 (479)
Unknown Exploitation Type	8 (8)	2 (7)	4 (15)	16 (647)
Organ Harvesting	0 (0)	0 (0)	0 (0)	<1 (3)
<i>Total</i>	<i>100 (98)</i>	<i>100 (306)</i>	<i>100 (404)</i>	<i>100 (4,085)</i>

<b>Nationality</b>	<b>South West</b>	<b>West Yorkshire</b>	<b>Total pilot areas</b>	<b>Non-pilot areas</b>
EEA <sup>1</sup>	53 (52)	45 (137)	47 (189)	25 (1,015)
Non-EEA <sup>1</sup>	47 (46)	55 (169)	53 (215)	75 (3,070)
<i>Total</i>	<i>100 (98)</i>	<i>100 (306)</i>	<i>100 (404)</i>	<i>100 (4,085)</i>

<b>Location of Exploitation</b>	<b>South West</b>	<b>West Yorkshire</b>	<b>Total pilot areas</b>	<b>Non-pilot areas</b>
UK	77 (75)	59 (180)	63 (255)	38 (1,552)
Abroad	10 (10)	34 (104)	28 (114)	30 (1,214)
UK and Abroad	5 (5)	5 (16)	5 (21)	3 (139)
Unknown	8 (8)	2 (6)	4 (14)	29 (1,180)
<i>Total</i>	<i>100 (98)</i>	<i>100 (306)</i>	<i>100 (404)</i>	<i>100 (4,085)</i>

Note:

<sup>1</sup> EEA – European Economic Area.

**Table B2 Characteristics of potential victims referred in the pilot areas before and during the National Referral Mechanism pilot**

Characteristic	Period	
	% (count)	
<b>Age</b>	<b>Baseline year</b>	<b>Pilot period</b>
Adult	79 (192)	67 (270)
Child	21 (51)	33 (134)
<i>Total</i>	<i>100 (243)</i>	<i>100 (404)</i>
<b>Gender</b>	<b>Baseline year</b>	<b>Pilot period</b>
Female	59 (144)	48 (192)
Male	40 (98)	52 (212)
Transgender	<1 (1)	0 (0)
<i>Total</i>	<i>100 (243)</i>	<i>100 (404)</i>
<b>Exploitation Type</b>	<b>Baseline year</b>	<b>Pilot period</b>
Labour Exploitation	44 (108)	55 (222)
Sexual Exploitation	31 (75)	33 (132)
Domestic Servitude	14 (33)	9 (35)
Unknown Exploitation Type	11 (27)	4 (15)
<i>Total</i>	<i>100 (243)</i>	<i>100 (404)</i>
<b>Nationality</b>	<b>Baseline year</b>	<b>Pilot period</b>
EEA	55 (133)	47 (189)
Non-EEA	45 (110)	53 (215)
<i>Total</i>	<i>100 (243)</i>	<i>100 (404)</i>
<b>Location of Exploitation</b>	<b>Baseline year</b>	<b>Pilot period</b>
UK	54 (132)	63 (255)
Abroad	12 (29)	28 (114)
UK and Abroad	4 (9)	5 (21)
Unknown	30 (73)	4 (14)

Total	100 (243)	100 (404)

Top 5 countries of origin			
Baseline year		Pilot period	
1. Slovakia	32 (13%)	1. UK	57 (14%)
2. Romania	31 (13%)	2. Vietnam	37 (9%)
3. Hungary	21 (9%)	3. Albania	30 (7%)
4. UK	18 (7%)	4. Romania	29 (7%)
5. Albania	17 (7%)	5. Slovakia	28 (7%)

Note:

<sup>1</sup> EEA – European Economic Area.

**Table B3 Reasonable grounds decision outcomes by time period, area and nationality**

Time period	Area	Nationality	Outcome				Total
			Positive		Negative / suspended / withdrawn		
Baseline period	Pilot areas	EEA <sup>1</sup>	115	88%	15	12%	130
		Non-EEA <sup>1</sup>	91	88%	13	13%	104
		<b>Total</b>	<b>206</b>	<b>88%</b>	<b>28</b>	<b>12%</b>	<b>234</b>
	Non-pilot areas	EEA <sup>1</sup>	478	83%	98	17%	576
		Non-EEA <sup>1</sup>	1,514	88%	197	12%	1,711
		<b>Total</b>	<b>1,992</b>	<b>87%</b>	<b>295</b>	<b>13%</b>	<b>2,287</b>
Pilot period	Pilot areas	EEA <sup>1</sup>	182	96%	7	4%	189
		Non-EEA <sup>1</sup>	176	82%	39	18%	215
		<b>Total</b>	<b>358</b>	<b>89%</b>	<b>46</b>	<b>11%</b>	<b>404</b>
	Non-pilot areas	EEA <sup>1</sup>	813	80%	202	20%	1,015
		Non-EEA <sup>1</sup>	2,596	85%	474	15%	3,070
		<b>Total</b>	<b>3,409</b>	<b>83%</b>	<b>676</b>	<b>17%</b>	<b>4,085</b>

Note:

<sup>1</sup> EEA – European Economic Area.

**Table B4 Attendance at multi-disciplinary panels, by organisation<sup>1</sup>**

Organisation	Number of panels attended by at least one panel member
UK Visas and Immigration	33
Non-governmental organisations	30
Local authority	29
Police	28
NHS	9
Gangmasters and Labour Abuse Authority	4

Note:

<sup>1</sup> There were 34 panels in total over the course of the pilot.

**Table B5 Conclusive grounds decision outcomes by time period, area and nationality<sup>1</sup>**

Time period	Area	Nationality	Outcome								Total
			Positive		Negative / suspended / withdrawn		Pending		Not reaching conclusive grounds decision stage		
Baseline period	Pilot areas	EEA <sup>2</sup>	86	66%	10	8%	19	15%	15	12%	130
		Non-EEA <sup>2</sup>	13	13%	12	12%	66	63%	13	13%	104
		<b>Total</b>	<b>99</b>	<b>42%</b>	<b>22</b>	<b>9%</b>	<b>85</b>	<b>36%</b>	<b>28</b>	<b>12%</b>	<b>234</b>
	Non-pilot areas	EEA <sup>2</sup>	291	51%	88	15%	99	17%	98	17%	576
		Non-EEA <sup>2</sup>	154	9%	313	18%	1,047	61%	197	12%	1,711
		<b>Total</b>	<b>445</b>	<b>19%</b>	<b>401</b>	<b>18%</b>	<b>1,146</b>	<b>50%</b>	<b>295</b>	<b>13%</b>	<b>2,287</b>
Pilot period	Pilot areas	EEA <sup>2</sup>	96	51%	25	13%	61	32%	7	4%	189
		Non-EEA <sup>2</sup>	78	36%	19	9%	79	37%	39	18%	215
		<b>Total</b>	<b>174</b>	<b>43%</b>	<b>44</b>	<b>11%</b>	<b>140</b>	<b>35%</b>	<b>46</b>	<b>11%</b>	<b>404</b>
	Non-pilot areas	EEA <sup>2</sup>	557	55%	73	7%	183	18%	202	20%	1,015
		Non-EEA <sup>2</sup>	301	10%	575	19%	1,720	56%	474	15%	3,070
		<b>Total</b>	<b>858</b>	<b>21%</b>	<b>648</b>	<b>16%</b>	<b>1,903</b>	<b>47%</b>	<b>676</b>	<b>17%</b>	<b>4,085</b>

Notes:

<sup>1</sup> Outcomes are as at 31 December 2016 for the pilot period and as at 3 August 2015 for the baseline period.

<sup>2</sup> EEA – European Economic Area.

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**Table B6 Timeliness of conclusive grounds decision by time period, area and nationality<sup>1</sup>**

Time period	Area	Nationality	Timeliness measure		
			Average (median) days between referral and reasonable grounds decision	Average (median) days between reasonable and conclusive grounds decisions	Average (median) days for caseworking + average (median) days between case ready for panel and date of conclusive grounds decision
Baseline period	Pilot areas	EEA <sup>2</sup>	6	46	
		Non-EEA <sup>2</sup>	6	83	
		<b>Total</b>	<b>6</b>	<b>47</b>	
	Non-pilot areas	EEA <sup>2</sup>	6	53	
		Non-EEA <sup>2</sup>	6	90	
		<b>Total</b>	<b>6</b>	<b>84</b>	
Pilot period	Pilot areas	EEA <sup>2</sup>	1	89	81 + 8
		Non-EEA <sup>2</sup>	1	120	110 + 10
		<b>Total</b>	<b>1</b>	<b>96</b>	<b>87 + 9</b>
	Non-pilot areas	EEA <sup>2</sup>	6	63	
		Non-EEA <sup>2</sup>	6	175	
		<b>Total</b>	<b>6</b>	<b>98</b>	

Notes:

<sup>1</sup> Timeliness calculations only include cases that had received a conclusive grounds decision as at 31 December 2016 for the pilot period and as at 3 August 2015 for the baseline year.

<sup>2</sup> EEA – European Economic Area.

**Table B7 Characteristics of cases pending conclusive grounds decision, as at 31 December 2016**

Characteristic	Area	
	% (count)	
<b>Age</b>	<b>Pilot areas</b>	<b>Non-pilot areas</b>
Adult	64 (90)	71 (1,360)
Child	36 (50)	29 (543)
<i>Total</i>	<i>100 (140)</i>	<i>100 (1,903)</i>
<b>Gender</b>	<b>Pilot areas</b>	<b>Non-pilot areas</b>
Female	54 (76)	63 (1,199)
Male	46 (64)	37 (700)
Transgender	0 (0)	<1 (4)
<i>Total</i>	<i>100 (140)</i>	<i>100 (1,903)</i>
<b>Exploitation type</b>	<b>Pilot areas</b>	<b>Non-pilot areas</b>
Labour exploitation	52 (73)	32 (618)
Sexual exploitation	36 (51)	43 (819)
Domestic servitude	11 (15)	16 (296)
Unknown exploitation type	1 (1)	9 (168)
Organ harvesting	0 (0)	<1 (2)
<i>Total</i>	<i>100 (140)</i>	<i>100 (1,903)</i>
<b>Location of exploitation</b>	<b>Pilot areas</b>	<b>Non-pilot areas</b>
UK	69 (96)	35 (673)
Abroad	24 (33)	38 (716)
UK and abroad	6 (8)	5 (92)
Unknown	2 (3)	22 (422)
<i>Total</i>	<i>100 (140)</i>	<i>100 (1,903)</i>
<b>Referring organisation</b>	<b>Pilot areas</b>	<b>Non-pilot areas</b>
Police (including National Crime Agency)	40 (56)	17 (323)

Home Office <sup>1</sup>	33 (46)	60 (1,134)
Non-governmental organisations	17 (24)	14 (268)
Local authority	8 (11)	9 (178)
Gangmasters and Labour Abuse Authority	0 (0)	0 (0)
Unknown	2 (3)	0 (0)
<i>Total</i>	<i>100 (140)</i>	<i>100 (1,903)</i>

Note:

<sup>1</sup> Home Office includes referrals from UK Visas and Immigration, and the UK Border Force.

**Table B8 Characteristics of European Economic Area and non-European Economic Area potential victims referred, in the pilot period**

Characteristic	Nationality	
	% (count)	
First Responder organisation	EEA	Non-EEA
Police (including National Crime Agency)	66 (822)	11 (359)
Non-governmental organisations	17 (205)	12 (416)
Local authority	14 (175)	11 (386)
Home Office <sup>1</sup>	3 (36)	66 (2,211)
Gangmasters and Labour Abuse Authority	<1 (2)	<1 (1)
Unknown	<1 (1)	<1 (2)
<i>Total</i>	<i>100 (1,241)</i>	<i>100 (3,375)</i>
Location of exploitation	EEA	Non-EEA
UK	79 (984)	26 (872)
Abroad	1 (17)	40 (1,343)
UK and abroad	1 (12)	5 (143)
Unknown	18 (228)	30 (1,007)
<i>Total</i>	<i>100 (1,241)</i>	<i>100 (3,375)</i>
Age	EEA	Non-EEA
Adult	67 (832)	66 (2,223)

Child	33 (409)	34 (1,152)
<i>Total</i>	<i>100 (1,241)</i>	<i>100 (3,375)</i>
<b>Gender</b>	<b>EEA</b>	<b>Non-EEA</b>
Male	52 (650)	45 (1,527)
Female	48 (591)	55 (1,842)
Transgender	0%	<1 (6)
<i>Total</i>	<i>100 (1,241)</i>	<i>100 (3,375)</i>
<b>Exploitation type</b>	<b>EEA</b>	<b>Non-EEA</b>
Labour exploitation	56 (701)	33 (1,097)
Sexual exploitation	35 (435)	35 (1,170)
Domestic servitude	3 (33)	15 (494)
Organ harvesting	0%	<1 (3)
Unknown exploitation type	6 (72)	18 (611)
<i>Total</i>	<i>100 (1,241)</i>	<i>100 (3,375)</i>

Note:

<sup>1</sup> Home Office includes referrals from UK Visas and Immigration, and the UK Border Force.

**Table B9 Characteristics of child cases referred in the pilot and non-pilot areas during the pilot period**

<b>Characteristic</b>	<b>Area</b>	
	<b>% (count)</b>	
<b>Gender</b>	<b>Pilot areas</b>	<b>Non-pilot areas</b>
Female	60% (80)	35% (476)
Male	40% (54)	65% (901)
<i>Total</i>	<i>100% (134)</i>	<i>100% (1,377)</i>
<b>Nationality</b>	<b>Pilot areas</b>	<b>Non-pilot areas</b>
European Economic Area (EEA)	54% (72)	23% (318)
Non-EEA <sup>1</sup>	46% (62)	77% (1,059)

<i>Total</i>	<i>100% (134)</i>	<i>100% (1,377)</i>
<b>Exploitation type</b>	<b>Pilot areas</b>	<b>Non-pilot areas</b>
Labour exploitation	41% (55)	36% (489)
Sexual exploitation	45% (60)	23% (319)
Domestic servitude	5% (7)	5% (68)
Unknown exploitation type	9% (12)	36% (500)
Organ harvesting	0% (0)	<1% (1)
<i>Total</i>	<i>100% (134)</i>	<i>100% (1,377)</i>
<b>Location of exploitation</b>	<b>Pilot areas</b>	<b>Non-pilot areas</b>
UK	69% (93)	30% (415)
Abroad	22% (29)	26% (363)
UK and abroad	2% (3)	1% (13)
Unknown	7% (9)	43% (586)
<i>Total</i>	<i>100% (134)</i>	<i>100% (1,377)</i>

Note:

<sup>1</sup> EEA – European Economic Area.

**Table B10 Conclusive grounds decision outcomes, for child cases by time period and area<sup>1</sup>**

Time period	Area	Outcome								Total
		Positive		Negative / suspended / withdrawn		Pending		Not reaching conclusive grounds decision stage		
Baseline period	Pilot areas	34	67%	6	12%	11	22%	3	6%	51
	Non-pilot areas	97	16%	239	39%	273	45%	117	19%	609
Pilot period	Pilot areas	53	40%	31	23%	50	37%	13	10%	134
	Non-pilot areas	289	21%	545	40%	543	39%	336	24%	1,377

Note:

<sup>1</sup> Outcomes are as at 31 December 2016 for pilot period and as at 3 August 2015 for baseline period.

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