

## **Expendable labour: the exploitation of migrant care workers**

### **Introduction**

Adult social care is facing a chronic staffing crisis, with the number of vacancies currently 152,000 in England.

Underfunding, low wages and poor working conditions are to blame for employees leaving for jobs in other sectors such as retail and hospitality.

To overcome these dire staff shortages, employers are increasingly recruiting care workers from overseas including from India, the Philippines, Sri Lanka, and Zimbabwe. These employees make up 16% of the social care workforce in England, according to [Skills for Care](#).

These workers come to the UK in the belief that they will have a secure job, with a reputable employer, who has officially sponsored them to be here.

But UNISON has gathered evidence that immoral care companies are exploiting many of those they recruit to work in Britain's care homes and in domiciliary care.

This report *Expendable labour* outlines shocking details, including threats of dismissal and deportation, excessive hours (or no work at all), and racial abuse.

Care workers hired from overseas have had money deducted from their wages to cover dubious fees, faced demands to repay thousands of pounds when they try to move jobs, and forced to pay extortionate rents for substandard accommodation.

Before they can even travel to the UK, many must go through predatory recruitment agents who demand excessive amounts of money. Some migrant job-seekers sell all they own to pay these 'relocation' costs.

*Expendable labour* provides evidence that, once these migrant workers arrive in this country, some unethical employers try to recoup costs they claim to have incurred.

These skilled, committed, and hard-working staff are treated as expendable labour. A working week of 80 hours or more has been reported to UNISON by some migrant care workers. Others have been made to do 19-hour shifts without a break and forced to be always available for work.

They also face the threat of deportation when a care company goes bust because there is no safety net to protect them financially or help to find a new employer.

The people these care workers support also suffer because migrant staff are often sent out to care for people without the necessary training or experience. The consequence is that the care provided isn't always of a high standard.

This report documents the harrowing testimonials of migrant care workers. It calls for a series of urgent reforms to protect overseas care staff from abuse.

## **The problem in depth**

### **Widespread exploitation of migrant staff in the social care sector**

The stark reality for these workers is that they have little protection once they arrive in the UK.

UNISON has consistently raised concerns that immigration enforcement can exacerbate the exploitation of workers. This is because workers are fearful of raising concerns about employment practices when the same employers can remove their visa sponsorship.

Companies are allowed to recruit from abroad under the UK visa scheme because care work was made a 'shortage' occupation in February 2022.

Under current rules, employers must pay the government a small licence fee to sponsor the work visas of the migrant care staff they hire to work in the UK.

Any care worker who then wants to change to a new care organisation must do so within 60 days or face deportation unless they find a new sponsor.

Unscrupulous employers are using the threat of removal to a care worker's home country to victimise migrant workers who whistle blow/complain about their treatment.

Care is one of the most precarious sectors in the UK. Firms regularly go under or lose their council contracts. The consequence is staff find themselves without work and in financial hardship. For migrant care workers, the situation is even worse.

In a recent case, more than 100 migrant care staff in Cambridgeshire were made redundant when their employer Beaumont Healthcare handed back its contract to the council.

Some of the staff were sacked on the spot in October this year and could face deportation unless they find new sponsors.

One of these former Beaumont employees, who came to the UK from the Philippines, says: "I'm really worried about the job situation. I came here because I was needed. Now that I need help, I'm getting nothing."

Around 15 migrant care staff employed by Lighthouse Professional Care found themselves in a similar situation when Wiltshire Council withdrew its contract in July this year.

Since then, the workers have been attempting to find new jobs, but are now nearing the 60-day deadline to obtain new sponsors and visas.

Migrant staff can also become trapped in an exploitative workplace if employers withhold job references. Punitive measures such as these are often used to make staff compliant with bad working practices, often in clear breach of the law.

Workers are not only risking deportation by speaking up or challenging the employer. Many face total financial ruin in their home country because they've sold all they have to come here.

### **Case studies – exploitation of migrant staff**

A care worker from the Philippines whose employer made him redundant says: "We've been dropped like we no longer exist. I need to support my family but my new job hasn't started yet. I'm also worried that I may have to cover the costs of finding a new sponsor."

A domiciliary care worker from India says: "Overseas staff miss out on enhanced payments for working weekends and bank holidays. We don't have regular schedules – we must be available as needed. Every conversation with the managers feels threatening and often ends with the word 'visa'."

### **Predatory recruitment agencies**

UNISON has been given details of overseas-based recruitment agencies that charge care staff fees before they can come to the UK from abroad.

These excessive charges are disguised in various ways, for example as job induction or training costs. Care workers often must fork out the equivalent of thousands of pounds. That means many arrive here with huge amounts of debt, having sold almost everything they own back home.

Care staff who have used all their savings and mortgaged/sold their homes to come to work in the UK are in a deeply vulnerable situation. Bad employers exploit them by putting them in poor accommodation, then deducting excessive rent from their wages.

Cases reported to UNISON include a care worker who paid a recruitment agent in India £12,000 to 'introduce' her to a UK employer. They told her this was necessary to obtain her certificate of sponsorship. Once in the UK, the care nurse had to pay £700 a month in rent for a shared house without heating and with mouldy walls.

The care employee complained about this and the working conditions her fellow migrant colleagues were experiencing. Her employer responded by using false allegations to dismiss her.

### **Case studies – predatory recruitment agencies**

A care worker from Sri Lanka paid more than £12,000 in fees including to agents and for sponsorship. Her employer gave her a £2,000 car loan, which was deducted from her salary. Her contract is for 48 hours a week, but she's doing up to 70 hours. The care worker currently shares a house with another migrant care worker family to reduce her costs.

She says: "I feel exploited. I'm never allowed additional days off. My employer turns down my request every time. I often start at 7am, don't get home until 11pm and rarely get to see my daughter for a few days in a row."

A senior care support worker, also from Sri Lanka, paid an agent and a third-party £2,000 each to secure work in the UK, and £6,000 to a care company for a three-year visa. Her recruiters promised she could earn £10,000 for three months work. In reality, her monthly wage is around £2,000, which goes on bills and rent. She works from 7am to 10.30pm and sometimes has 25 care appointments a day, each lasting 30 minutes.

### **Repayment clauses and hidden costs**

Many migrant healthcare workers are expected to sign contracts containing draconian clauses. These often include a requirement to pay back recruitment and training costs if they leave their post within a few years.

UNISON has seen evidence from workers who have effectively been blackmailed into staying because their employers have threatened them with a large debt should they leave.

In one case, a care worker wanted to leave the intolerable working conditions at his care home and found a job with the NHS. However, his employer said it would pursue him for more than £4,000 'training' costs. This will apply if he resigns before the end of his five-year contract.

The care worker now feels tied to his current employer who withheld a job reference. This resulted in the employee's NHS job offer falling through.

Migrant care staff have also been invoiced for administration costs. One employer charged £390 for a 'cultural induction', including a city tour. The amount covered meals, but the overseas workers say they didn't receive any food or drink.

What is more, the employer billed £65 an hour for meeting and greeting the care staff at the airport when they arrived in the UK.

Another worrying trend is that workers are being charged fees that the Home Office explicitly forbids being passed on to employees. These include the immigration skills charge that the government requires employers to pay when they agree to sponsor a worker from overseas.

### **Case studies – repayment clauses**

A domiciliary care worker from South Africa was told she would have to pay back £3,000 if she left before 18 months. Her employer also demanded more than £2,000 in return for sponsorship and a visa. She was struggling on her wages and quit, but her employer then demanded repayments for electricity and gas.

A care worker from Nigeria paid around £7,000 to an agent that included visa expenses. Her brother sold a car to help her cover the costs. Once in the UK, the woman's employer said they weren't expecting her. They then suspended the care

employee temporarily when she turned down a last-minute shift many miles away. She now gets up to four days' work a week despite being promised 40 hours originally.

She says: "I love taking care of people, but I don't think the company has enough work. The only way to leave is to get another sponsor. I've sold everything so I can't return to Nigeria."

**Recommendations: a call to action to protect migrant care workers**

No care company should be allowed to lure care staff from overseas to the UK under false pretences. Nor should they be able to exploit these workers who come here to look after those who need care the most.

UNISON is calling on the UK government and the Home Office to bring in measures to help safeguard against the appalling practices highlighted in this report.

A fully-funded minimum rate of pay above the national living wage for all care workers is key to bringing an end to these shocking abuses. Many employers think they can easily exploit migrant workers and this needs to change.

What is also needed is a national care service to boost wages, put quality above profit-making and ensure everyone receives the support they need.

**UNISON is also calling on ministers to ensure that:**

- Care workers are helped to find new employers more easily especially when care firms go bust or lose their contracts. The NHS, local authorities and charities should track vacancies regionally among approved employers.
- If a care worker leaves their job, they should be given more than the current 60 days to find a new employer. This could be achieved through a visa extension.
- The recruitment of care staff overseas should only take place via agencies on the ethical recruiters list run by the NHS.
- Ministers should provide councils with new guidance on how to tackle unscrupulous care employers.
- The government must also set up a dedicated fund to councils to clamp down on abuse.
- A review is carried out into policies that make life difficult for migrant workers and vulnerable to unscrupulous employers.