

**Labour Market Enforcement Strategy 2025 to 2026: call for evidence**

**Stakeholders engagement roundtable with the Voices of Domestic Workers**

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**Participants:** panel of 16 VODW members.

**I/ About you**

The Voices of Domestic Workers is a registered charity, and a leading education and support group calling for justice and rights for Britain’s migrant domestic workers. Every year, around 23,000 migrant domestic workers enter the UK brought by their foreign employer using a six-month non-renewable private domestic worker visa, thus leaving tens of thousands of domestic workers exposed to abuse, exploitation and modern slavery.

We provide educational and community activities for domestic workers - including English language lessons, drama and art classes, and employment advice, and provide support for domestic workers who exit from abusive employers. Our work seeks to end discrimination and protect migrant domestic workers living in the UK by providing or assisting in the provision of education, training, healthcare and legal advice. For more information, see our website: <https://www.thevoiceofdomesticworkers.com/about>.

**II/ Call for evidence questions**

**Section 1: Employment rights enforcement priorities and governance**

1. Briefly, and in no more than 100 words, what do you believe should be the priorities for employment rights enforcement as we transition to the FWA?
- 2.

For domestic workers, the main priorities are:

- **reinstate the pre-2012 overseas domestic worker visa**, allowed domestic workers to renew their visa and build a safe route to citizenship in the UK which provided access to employment rights and the ability to challenge abuses, and prevented risks of modern slavery;
- **recognise private homes as workplaces, domestic workers as employees and the families who employ them as employers.** This would allow the government to carry out labour right inspections in private homes, and to actively fight against and prevent modern slavery;
- be recognised as a high risk sector;
- ensure independent labour inspections mechanisms, separated from immigration or police controls;

- establish collective bargaining mechanisms in the sector, as is the case in Brazil and Uruguay.
- 3. The FWA will have a statutory duty to publish annual reports and a triannual strategy, overseen by a social partnership board with tripartite representation from business representatives, trade unions and independent experts. What data and reporting should the FWA publish to ensure good accountability and transparency, via these publications or otherwise?

Based on a study conducted by [Acciari and Boufkhed \(2024\)](#), and the assessment of the stakeholders engagement roundtable from December 2024, we have identified the following needs:

- Provide accurate records of the number of domestic workers being referred to the NRM (National Referral Mechanism), disaggregating in particular:
  - The number of cases submitted at each stage of the NRM process and by type of first responders;
  - The number of cases rejected at each stage of the NRM, and from which responders they originated;
  - The number of cases going to appeal;
  - The overall number of rejected, successful and pending cases per year.
- Collect accurate data (scope and type) on:
  - **violations of labour rights**, such as unfair pay deduction, unpaid extra time, unregulated working hours, absence of sick leave and paid holiday;
  - **breaches of health and safety at work**, such as provision of adequate protective equipment, trainings, accidents in the workplace (home of the employer). A workshop organised by UCL and the University of Manchester in November 2023 on health and safety for domestic workers, revealed that most members from the Voices of Domestic Workers faced serious health hazards at the workplace such as burnt, falls and exposure to chemicals, that are not covered by the current rights' framework;
  - **violence and harassment at work**, including: physical, verbal, sexual and psychological violence.

## Section 2: Communication and engagement

Since the 2012 visa reform, the Voices of Domestic Workers have supported more than 1,000 applications to the NRM. We have developed highly valuable expertise that is used by first responders, such as the police and the Salvation Army. After years of doing this work – without financial resources – we have identified that first responders lack adequate training to address the needs and specificities of our sector. This work has also become a burden to us as we lack the staff and time to monitor all the cases.

1. How do you expect stakeholders to be engaged by the FWA and what do you see as the benefits?

Our expertise needs to be formally recognised and supported. We could become a reference training centre and/or provide paid consultancy to first responders dealing with domestic workers' cases for the NRM. For this, we request adequate levels of resources and support from the government. We also need full access to the cases we help submitting in order to check the application has been properly done.

The Voices of Domestic Workers should be part of the Fair Work Agency advisory board suggested in the bill, either as a trade union or independent expert. In addition, given the sensitive and vulnerable position of migrant domestic workers, we suggest that ours and other community-based representative organisations be given the power to request independent and trauma-informed labour inspections to the FWA.

We also request that a dedicated helpline and/or focal points be created for domestic workers to report employment and labour rights abuses to the Fair Work Agency. A proper rescue mechanism for victims of modern slavery should also be established, at the moment, the Voices of Domestic Workers are the ones doing this task (see for instance the report from [Channel 4 News](#) released in 2024).

2. By which channels might awareness of the FWA be increased before and once it is established and why do you recommend them?

One issue domestic workers face is the lack of awareness of their rights and as a result, a limited ability to access support service. The government currently provides an information leaflet during the migration process, however, it is sent to employers instead of domestic workers, which means that workers almost never see it. According to [Info Migrant \(2024\)](#), only 15% domestic workers received the leaflet explaining their employment rights.

We ask that comprehensive information about rights (employment, immigration, access to health, and support in case of gender-based violence) be provided upon arrival in the UK, in different languages and formats (for instance, leaflets, phone messages, etc.). A meeting with the domestic worker, separate from the employer, should be held, in the presence of translators and community-based organisations, to inform them properly about their rights. Support services provided to domestic workers must also include addresses and services accessible in person, as they often have no phone or access to the internet.

In addition, the Voices of Domestic Workers and similar representative organisations should be able to access migrant domestic workers on a regular basis to check on them, as they are often too scared to talk to public authorities. The James Ewins 2015 review suggests a first meeting after 42 days of arriving in the UK, however, the government abolished the plans to set up these information meetings in 2019, stating that no contractor was available or chosen among the applicants thereby domestic workers missing the opportunity to report any abuses or irregularities.

Finally, collective bargaining mechanisms between domestic employers and domestic employees should be established. In the sectors where negotiations take place, workers are able to secure better wages, working terms and conditions, and benefits. This would also improve health and safety regulations in private homes, and offer domestic workers mediation mechanisms in cases of conflict with their employers. Successful case studies exist in Brazil since 2016 ([see ILO's website](#)).

3. Who do you see as the key partners for the FWA thinking both of other agencies or wider stakeholders (for example, by sector) and why?

The Voices of Domestic Workers because of our unique knowledge of, and access to, migrant domestic workers. We represent a vulnerable and hard-to-reach population, and as such, regulating bodies from the government need our advice and expertise to prevent and address domestic workers' labour rights violations.

### **Section 3: Resourcing and prioritisation**

1. What should the 3 enforcement bodies be doing now to ensure the FWA achieves sustained and lasting improvements in employer compliance?
  - Be able to investigate private houses and penalise employers who are individuals (not just companies);
  - Increase the number of labour inspectors, and ensure they are independent from the Home Office and the police;
  - Better train and prepare labour inspectors and NRM first responders to deal with migrant domestic workers' cases.
2. What are the key labour market non-compliance risks for which the FWA needs to be ready? What is the evidence for this?

The current overseas domestic workers' visa is the main risk of non-compliance, as it creates a status of exception for these workers, excluding them from employment rights and making it practically impossible to report abuses. Members of the Voices of Domestic Workers have expressed the feeling of "living in fear", meaning they often cannot even have access basic human rights such as health care.

The short duration (6 months) of the visa means that domestic workers are at high risk of being made undocumented and/or trafficked, and trapped in cycles of exploitation. Existing studies and consultations with the sector highlight in particular (Acciari & Boufkhed, 2024; Mantouvalou & Sedacca, 2022):

- Limited ability to challenge their employers or report abuse by fear of losing their visa,
- Passport withholding from employers,
- Restriction of mobility and freedom, especially during the pandemic crisis, workers were denied the right to leave the house;
- High level of dependency on employers for job, accommodation and visa status.

An independent review published by the [Home Office in 2015](#) had already concluded that: "On the balance of the evidence currently available, this review finds that the existence of a tie to a specific employer and the absence of a universal right to change employer and apply for extensions of the visa are incompatible with the reasonable protection of overseas domestic workers while in the UK" (see paragraphs 65 - 87).

A survey with 200 migrant domestic workers conducted by the Voices of Domestic Workers and the London School of Economics and Political Science revealed that nearly all of the respondents reported working around the clock, earning less than £1 per day. More than 80% reported being denied regular meals, with nearly the same number claiming surveillance by their employers and excessive restrictions on leaving the house. More than half reported physical abuse and roughly 30% reported instances of sexual harassment or abuse ([Info Migrant, 2024](#)).

Other risks specific to the sector include:

- The **diplomatic immunity of employers** prevents labour inspections and penalisation, in the last few years, there were several cases of exploitation and modern slavery taking place in embassies that went unpunished. See for instance this report from [The Telegraph](#) (2023).
- The **right to privacy** for households prevents labour inspection (Health and safety act 1972, s 51) to take place inside private homes, based on the ground that a home is a private place, however, for tens of thousands of workers the home is also a working place, and as such, it needs to be regulated.
- In general, the lack of labour inspectors renders difficult the task of checking compliance and penalising employers.



# The Voice of Domestic Workers

dignity at work

- **The family worker’s exemption from minimum wage** was repealed earlier this year (The National Minimum Wage (Amendment Regulations SI 2024/75). However, there is still the exclusion from working protections e.g. 48 hours max working week – Regulation 19 of the Working Time Regulations. The exemption allows domestic employers to pay their employees less than the minimum wage, and/or perform unfair wage deductions, on the grounds that domestic workers would be ‘like one of the family’, enjoying accommodation, meals and leisure. However, domestic employees are on working duties when they are on holiday or in the park with the members of the employing family, they often have to work around the clock when they live in the same house and are denied time-off (Sedacca, 2022). This exemption was revoked [in April 2024](#), but we still deal with cases of abuse on a regular basis. How does the government ensure the entitlement of lived-in domestic workers to NMW is being enforced? Are there mechanisms or data available to verify compliance by employers and to prevent misuse of this exemption?

A report published by Kalayaan in 2024 shows alarming figures regarding domestic workers’ exposure to exploitation and violence, summarised in the table below:

*Table 1: Proportion of workers exposed to different forms of abuses at the workplace surveyed by Kalayaan between 2008-2024 (N=2080) by workers’ date of visa issue.*

Workers who:	Workers issued a visa...		
	before 06 April 2012 (%)	after 6 April 2012 (%)	after 6 April 2016 (%)
presented with indicators of trafficking	14	40	41
did not have access to their passport in the UK	47	73	73
were not allowed out of their employer’s property alone	47	69	69
had no day off in the UK	52	70	66
had irregular food	17	42	61
did not have their own bedroom or private space	38	64	53
were not paid regularly	24	39	31
reported physical abuse	12	20	26
reported psychological abuse	44	64	58

Source: Kalayaan, 2024.

3. Holiday pay will be a new area of enforcement for the FWA. Where are the key priority areas as regards holiday pay non-compliance (for example, by employment model or by sector) and how might these risks be tackled?

For domestic workers, paid holiday, as most labour rights, is rarely enforced. First, because domestic workers often do not know about their rights, and when they know about it, their precarious visa status means that they are afraid of asking their employers. Another issue is domestic workers' limited ability to choose when to take their time off, as employers may request them to work during school holidays or even to travel with them. The fact that many employers withhold employees' passport is another severe restriction to rights' enforcement and workers' mobility, in addition to being an indicator of modern slavery.

#### **Section 4: Moving towards a FWA**

1. What would you like to see done differently? (regarding enforcement)
  - **Carry out labour inspections in private homes**, under the responsibility of the Ministry of Labour/FWA and separated from the Home Office and the police, we also suggest that trade unions and/or representative community-based organisations be involved in the process;
  - **Penalise employers who do not respect domestic workers' rights**, and with more severe sanctions in the case where the worker is a victim of modern slavery;
  - Establish a national, dedicated and multilingual **reporting line for domestic workers**.
2. In establishing the FWA is there any good practice you would like to highlight from other UK and/or international regulators/enforcement bodies, either in the labour market enforcement space or beyond?

There are two good practices from Brazil we would like to highlight. The first is the existence of collective bargaining mechanisms for domestic workers, which has been documented by the [ILO \(2021\)](#). Since 2016, in the city of São Paulo, unions of domestic employers and of domestic employees enter each year into a negotiation cycle on wages, working terms and conditions and social benefits. This has allowed domestic workers to receive a salary that is higher than the minimum wage, obtain transport and food vouchers, dedicated information mechanisms for migrant workers, among others benefits.

The second example, is the recently approved bill on the rescuing of victims of modern slavery, ([Project of Law 5760/2023](#)), which establishes rescue mechanisms and provides minimum support to the victims after the rescue. In particular, the law stipulates that:

- labour inspection may enter the private house to perform a check with the authorisation of either the employer or the employee, if the domestic worker lives in the house;
- in cases of suspicion of modern slavery, only one visit is necessary;
- the rescued worker should automatically be enrolled to social benefits and should receive 6 months of unemployment benefits.

In the case of the UK, we reiterate once again that those checks should be performed by the Fair Work Agency to identify breaches of labour rights compliance, and by no means associated to police or migration controls as those institution generate fear and may pose a threat to the safety of vulnerable groups of migrants (Boufkhed, 2019).

Domestic workers who have been made undocumented should immediately access support services to regularise their situation. The regularisation and acquisition of the right to remain should be automatic for victims of modern slavery.

### **III/ Other issues**

As explained throughout the document and the cases studies cited, the main issue is the current overseas domestic workers' visa, which is too short, tied to the employer, and limits workers' ability to change job or report the abuses they suffer. Our key demand is to come back to the pre-2012 system, which was fairer and allowed domestic workers to build a safe route to citizenship in the UK. As long as basic human rights will be violated, it will be very hard to enforce our labour rights.

Another suggestion we would like to make is for the UK to ratify [ILO Convention 189](#), which guarantees decent work for domestic workers, including for migrant domestic workers. This convention has already been ratified by 35 countries, and by the following countries in Europe: Belgium, Finland, Germany, Ireland, Italy, Malta, Norway, Portugal, Spain, Sweden, Switzerland. ILO C 189 guarantees to right to the national minimum wage, a regulation of working hours, access to social security, non-discrimination, health and safety at work as well as prevention of violence and harassment. It further establishes reporting mechanisms in consultation with employers and employees, which would increase the obligation of compliance from the state. Studies from other countries show that the ratification of C 189 has led to improvements in national legal frameworks (Acciari, 2019; Boris, 2019; Poblete, 2019).

For more information, contact The Voices of Domestic Workers:  
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