

## Stamping Out Slavery in FM

4 hours ago

By Callum Macleod, CEO,  
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Stamp Out Slavery



Both modern slavery and human trafficking are relatively unknown quantities in the FM arena, and so we caught up with Callum Macleod to find out more.

As well as being the CEO of leading independent cleaning & maintenance provider, AMFM, Callum is also the Founder & Managing Director of Stamp Out Slavery, an organisation that helps businesses to identify and address the risk of modern slavery and exploitation occurring in their labour supply chains.

Here, Callum explains more about the work of Stamp Out Slavery and its impact on the FM sector....

As much as I'd like to take credit for the initiative, the origin of Stamp Out Slavery (SOS) was a cross-industry panel put together by Ben Douglas-Jones KC about four years ago which I was invited to join by Lorraine Larman, then Warden and now Deputy Master of the Worshipful Company of Environmental Cleaners.

Construction, FM, Hospitality and Security had also been invited to participate by Ben, whose particular speciality is Human Rights and

Modern Slavery and who is one of the authors of the practitioner's handbook on the Modern Slavery Act 2015 (MSA). Ben and I exchanged thoughts on the understanding and application of the MSA in cleaning and he asked me if I would write a position paper on the approach which the commercial cleaning profession was taking to adherence to MSA principles.

Researching from a wide variety of sources, both formal and informal, my findings were that the MSA was not widely understood or applied by any companies which I had identified.

At worst, companies were aware only of the s54 requirement for larger companies to provide a statement and believed that as a consequence the MSA was applicable only to those companies.

At best, and this remains largely true, companies adopted an audit exercise which sought only to elicit desired answers from their sub-contractors with no additional investigation. My recommendation was that, in the absence of ever realistically hoping to find the non-compliant in an industry which has in excess of one hundred thousand entities looking to fulfil cleaning requirements, the best approach would be for someone with the time and the skills to create an external auditing and certification process

My reasoning was based on a few factors. Having a certificate which could be placed on website, emails and stationery automatically gave potential clients a resource which they could draw on to verify that appropriate checks were in place.

Having an external resource in place would be an invaluable resource for any companies who were being questioned by statutory bodies. The commitment to addressing modern slavery would, I hoped, be an incentive to properly inform all employees so that they knew what to look for, and what to do, in terms of modern slavery in the wider community. It was a good idea, I thought.

Ben and Lorraine agreed, and we formed the entity now known as SOS (My pleading to call it Larman, Lawman and Layman was dismissed before I'd finished the sentence!) and our soft launch at Armourers Hall in October 2023 was supported by, among others, former independent Anti-Slavery Commissioner, Dame Sara Thornton MBE.

Our message is simple. Modern Slavery, or exploitation as it's referred to in Scottish law, isn't something which can be adequately addressed by including a line in terms of employment or by publishing a statement.

While the maximum life sentence which an MSA s1 breach allows for is genuinely improbable if there's a significant breach in the supply chain, a prison sentence and/or a fine is a virtual certainty.

And it's a chain. A cleaning company which uses a subcontractor who is guilty of the offence confers liability on itself and its client – the repercussions flow up the supply chain and the reputational damage would almost certainly signal the collapse of a company.

The hidden dangers in both commercial cleaning and analogous industries lie in subcontracting and, less obviously, in recruitment. As a general rule, the dominant ethnicity of cleaning operatives is informed largely by the ethnicity of the supervisor, the contract manager or the area manager. Two factors drive this; language barriers and the tendency for companies to look for referrals rather than advertise vacant positions at entry level.

It's a quicker process and some companies even offer incentives to operatives to make vacancies known to family and friends. That, as a moments' thought would make clear, is a significant vulnerability.

There are instances known to SOS where the contract manager is doing one or more of the following:

- Telling people that she can get them a job but they have to pay her an introduction fee.
- Once employed, charging introduced employees a portion of their income each week.
- Inflating an employee's hours and taking the additional money in cash from the employee.

- Forcing an employee to work unpaid overtime, or denying holiday, to mask budget creep as a consequence of those actions.

These practices can also be found in subcontracting either with or without the knowledge of the person who owns the subcontracting and with the additional risk factor that further breaches are being committed. It is all, in summary, a risk.

Most people reading this will be familiar with the employee 'Fraud Triangle' of Opportunity, Incentive and Rationalisation, and all three of those elements are never stronger than when in an industry which effectively sells labour.

At the heart of all employment relationships sits the implied duty of trust and confidence, from which arises the difficulty of posing questions to employees which are inquisitorial in nature.

An employer has a right to ask but runs the risk of an innocent employee feeling aggrieved. An external entity asking the questions with a specific purpose removes that risk and also creates the ability of both current and past employees to expose the practices safely and anonymously.

I was very clear at the outset at what I do not want SOS to become. At the very top, we're not a shadow Border Agency or HMRC helper, and my desire to assist is confined wholly to companies and individuals. If there are errors in the way a company is carrying out its activities, our job is to help correct them, not report them. Additionally, SOS is not a union. The purpose of an audit is to establish whether there are vulnerabilities in relation to modern slavery.

An operative who uses the feedback form to complain about employment issues not related to exploitation does potentially worse than nothing because they may feel that they've reported an issue which SOS, for confidentiality reasons, cannot disclose to their employer.

## In Summary...

Firstly, this isn't a sales pitch for SOS. We charge for conducting audits because we give certificates to the companies we do them for, and we'd have to satisfy a statutory body if it ever came to an investigation that we had carried them out correctly. That said, we cheerfully give out the audits for free for companies to use themselves if they don't need the certification and if there's enough space in their company for hard questions without hard feelings.

Lastly, let's copy Scotland. Slavery is an accurate term, but its historical connotations tend, I believe, to obfuscate. If someone is being forced to work or is having money taken from them in whole or in part or is living in fear, it's because someone else is profiting from making that happen. That's exploitation. Let's call it what it is.

I can't write this without acknowledging the invaluable Angie Morrish who has done everything to keep the wheels turning. I don't take credit for the initiative, and I don't take credit for our growing success – that's all Angie.