



Unison Cambridgehire in partnership with
Cambridgehire County Council

International Workers Charter

**Ethical recruiting to stop
exploitative employers
getting public money**

**The Employer of Last
Resort for workers who
have their job ended**

**No Victimization for
Trade Union activity**

**Decent Housing at
affordable rents**

**Fair and equitable
treatment on all
employment matters**

**No agency or
recruitment fees**

**A Code of Practice for
International Workers**

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The International Workers Charter

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Working in partnership to protect International workers who are in direct and commissioned contracts.

Why is this Charter needed

UNISON is the largest trade union for social care workers in the UK. We are a Trade Union committed to promoting the positive benefits of diversity in the workplace. As a result of the introduction of the Health and Care Worker Visa, there has been an increase in cases of Modern-Day Slavery with UNISON activists, finding ever increasing cases of poor practices. International workers are too often the victims of exploitation including poor accommodation and bad employment practices such as the illegal deduction of wages, higher agency fees, not paying the minimum wage, trade union victimisation, consistently allocated the worst jobs, long hours often at unsociable times and inadequate health and safety provision.

NHS Employers have already sought to address some of these issues by creating the Ethical Recruiter List for NHS trusts to recruit International workers. Now is the time for local authorities in their commissioning arrangements to address these issues with their directly employed staff and with the providers of commissioned services.

Unison Cambridgeshire believe that the Council, as the commissioners of services, are in the best position to tackle the poor employment practices that some of its commissioned providers carry out on a regular basis.

This 'Charter' is the first step to collectively tackle the serious issues and risks International workers face; and enable International workers the experience of good employment practices, and make their time with the sponsoring employer, a positive and welcoming one.

To begin this journey: We acknowledge that modern day slavery and exploitation does exist.

We commit to address these issues through partnership working with our Trade Unions, creating a culture and environment of cooperation and open communication, and if needed, to implement policy and procedural changes to make sure it does happen.

The route to begin to tackle this challenge can be found in the following sections of the Charter.

International Workers Charter

Section A: Fair and Equitable Treatment

1. A: Provide International workers a copy of their statement of particular and/or terms and conditions, within the required time frames.

B: Ensuring that a clear understanding of the contents and implications are known.

C: To provide this is the workers first language if required.

D: That no additional clauses are inserted which may be seen as a detriment to the employee, without first contacting Unison or the International workers chosen trade union.
2. That salary is paid at the same rate as all other appointed staff for doing the same role.
3. Provide workers with details of trade unions which are able to support them, e.g.: Unison, GMB and Unite. Contact details of the Trade Unions are in appendix 1.
4. Provide workers and the employer with an opportunity to meet with trade unions and representatives, such as inviting trade unions to induction days, or allowing the trade union to visit the workplace and arrange meetings.
5. That International workers are given the opportunity to learn and develop as other staff. Given access to employer training and due consideration for learning opportunities outside of work.
6. Provide International workers about local ESOL classes and support attendance by any means necessary.

7. Ensure that all workers, including those whose first language is not English, understand all work-related procedures and processes and can demonstrate that understanding.
8. Ensure that Health & Safety briefings and any regular updates are provided in a format which is understood.
9. Recognise that speaking in their first language is a positive and acknowledges their heritage.
10. Provide a standard reference within two weeks if requested.

Section B: Accommodation

Employers should be proactive in overseeing and assisting with suitable travel and accommodation arrangements

1. A: Where an employer provides accommodation, the employer will ensure that it is not overcrowded.

B: Meets all legislation for multiple occupancy.

C: Does not pose a risk to the health & safety of those living there, an example would be the appearance of mould, or the building and fixed furniture being in a poor condition.
2. Access to kitchen and bathroom facilities are always maintained.
3. The rent charged is reasonable and kept at or below the local rate.
4. There is no requirement for the worker to live in provided accommodation.

5. A: In cases where the worker does live in provided accommodation and decides to leave employment. The employer does not give immediate notice to leave.

B: Will negotiate an agreed period to find alternative accommodation of at least 4 weeks.

6. Fully recognise the vulnerable status women have when seeking accommodation and provide necessary support where possible.

7. Provide information to workers about Registered Social Landlords and other reputable sources of accommodation.

8. Provide information on how to complain about housing standards such as the local authority or Housing Ombudsman.

Section C: Safe Work Practice

Employers will have robust risk assessments in place for International and Black* workers in recognition of the additional safety issues that they may face particularly in times of social unrest

1. In the workplace.

2. Between workplace and when that workplace changes to the in the community.

3. During their daily commute to and from work and whilst on any work business.

4. In their accommodation.

Where necessary the commissioning authority will provide guidance to the provider and monitor to ensure compliance.

Section D: Victimisation and Discrimination

Employers have a responsibility to address discrimination and not victimise International workers for trade union activities and duties.

The Health and Care Worker visa rules which require a worker to find a new sponsor within 60 days or face deportation; this creates a framework to enable the threat of deportation to be used against International workers.

1. Promote a workplace culture that recognises, values and respects diversity.
2. Encourage the reporting of racial and religious harassment and provide appropriate support to victims, working in conjunction with trade unions and others.
3. Sign up to Unison's Anti Racism Charter.
4. Provide training to staff in dealing with racial harassment.
5. Communicate and offer training with the existing workforce to ensure they understand the reasons for International recruitment and are aware of the skills and experience they will bring.
6. Signatories will create a framework jointly with UNISON, for agreeing where an International worker has been victimised for their trade union activities/duties.

Section E: Employer of Last Resort

Signatories will identify or become an employer (sponsor) of last resort for International workers who have been victimised or otherwise summarily have their employment terminated through no fault of their own, such as the liquidation of a care provider or the suspension of providers ability to sponsor workers by the Home Office.

This will be done by the following methods:

1. Signatories will notify the County Council at the earliest opportunity of any difficulties which might lead a failure of the business. This will ensure continuity of care for the clients and also afford a secure transfer of employment for staff.
2. Advertise a vacancy list on their website, and/or notify Unison and the County Council and other signatories of any vacancies, so these organisations can sign post International workers.

Section F: Ethical Recruitment

Signatories will ensure that commissioned social care providers will not themselves charge fees to International workers or use agencies that charge fees to the workers

Signatories will work towards the creation of their own ethical recruiter list, similar to the NHS Employers Ethical Recruiter List and commit to lobby central government alongside UNISON for improvements to the Health and Care Worker Visa Scheme that makes it work for care workers before agencies.

1. Ethical Recruitment methods and as important, ethical exits of staff are vital for signatories to promote. Entrance and exit from employment should be done in ways which do not place a financial burden on the employee.

2. There will be no fees, other than those which can be legally charged, levied against any International worker, entering or leaving employment.

3. A: Contracts for International workers will be the same as other employees.

B: Will not contain additional clauses which are designed to tie the worker to the company for longer, to work for less salary per hour, work less favourable shift patterns unless the contract specifically states, (for example Night shift only, Weekend working only).

C: Any matter which might be construed as taking advantage of an Overseas Worker.

- UNISON, the term "Black" refers to people who share a history of colonialism and enslavement, and who continue to face racism and limited opportunities in modern society.

Signatories to the International Worker's Charter

Signed by Unison Cambridgeshire:

Name:

Position:

Date:

Signed by Cambridgeshire County Council:

Name:

Position:

Date:

Appendices

1 Contact details of Trade Unions.

Unison Cambridgeshire

New Shire Hall

Alconbury Weald

PE28 4YE

Tel: 01223 699258

Email: unison@cambridgeshire.gov.uk

GMB

Unite

2 Contact details of the Local Authority

To discuss on any matters that are covered by this Contract.

3 Standard reference.

A standard reference is a type of employment reference that confirms an employee's employment history, but doesn't provide any information about their character or duties. Standard references are often used because they are the safest option for employers, who may be reluctant to provide more detailed information due to the risk of litigation.

Example reference:

Address

Date

To Whom it may concern

My name is (insert name) and I am the (insert position) at (insert name of employer). I am writing a standard reference for (name of employee) as this is our practice.

(name of employee) has worked for (name of employer) as a (name of role) since (insert recruitment date). During this time she has worked within the policy and procedures of the employer.

I wish (name of employee) good luck in their endeavours.

Regards

4 Unison Anti Racism Charter.

Unison's Anti Racism Charter will be inserted here.

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