



Department for Business & Trade

The Lord Katz MBE
Lord in Waiting (Government Whip)
Department for Business and Trade
Old Admiralty Building
Admiralty Place
Whitehall
London
SW1A 2DY

Baroness Hamwee
House of Lords
London
SW1A 0PW

T: +44 (0) 020 4551 0011
W: www.gov.uk/dbt

8 July 2025

Dear Baroness Hamwee,

Employment Rights Bill: Fair Work Agency

I am writing to respond to your email dated 19th June 2025. You asked three questions seeking assurances on the Gangmaster and Labour Abuse Authority's (GLAA)'s transition into the Fair Work Agency. I will address each of these in turn below.

Provisions under which the Fair Work Agency will be a designated first responder in the National Referral Mechanism

Firstly, I can confirm the Fair Work Agency will be designated, via legislation, as a first responder for the National Referral Mechanism (NRM). This does not need to be done legislatively. To designate the Agency as a first responder, we simply need to update the list of first responder organisations on gov.uk, which we will do when the Agency is established: <https://www.gov.uk/government/publications/human-trafficking-victims-referral-and-assessment-forms/guidance-on-the-national-referral-mechanism-for-potential-adult-victims-of-modern-slavery-england-and-wales#Section-4>

Provisions under which The Fair Work Agency has a duty to notify the Home Secretary

Secondly, you asked about the Fair Work Agency's duty to cooperate with the Home Secretary.

As it will be an executive agency, it will not have a separate legal identity to the Secretary of State for Business and Trade. As such, placing a duty to notify the Home Secretary in legislation is superfluous, as a fundamental principal of the Cabinet system is that Secretaries of State co-operate with each other. Similarly, Secretaries of State can already share information with other Secretaries of State so there is no need to legislate to enable information sharing with the Home Secretary.

Co-operation with the Independent Anti-Slavery Commissioner

Thirdly, you asked if there will be a duty for the Fair Work Agency to co-operate with the Independent Anti-Slavery Commissioner (IASC). It is unnecessary to place a statutory duty on the Secretary of State to co-operate with the IASC as the Secretary of State is already charged with enforcing the relevant Modern Slavery Act offences under the Bill.

Therefore, the Agency will be required to do whatever is appropriate to carry out the statutory function, including co-operation with the IASC. To facilitate this cooperation, we have legislated for information sharing between the Agency and the IASC by including the IASC in schedule 9 of the Bill.

This Government takes tackling the scourge of labour exploitation seriously, and we do not believe it is sufficient to merely port over what the GLAA already does. We therefore are strengthening the Agency's powers in this space through the Bill. Firstly, we are bringing modern slavery offences in scope of the Labour Market Enforcement Undertaking and Order regime, creating an additional route for the Agency to tackle the issues present that does not rely solely on Slavery and Trafficking Prevention Orders and the NRM. Secondly, we are adding certain Fraud Act offences to the Agency's remit, allowing it to tackle serious labour exploitation that falls short of the Modern Slavery threshold.

I hope this goes some way to reassuring you that this is a very important area of activity for the Government, and we are taking it very seriously. We have been co-operating at all stages with both the GLAA and the Home Office to ensure that this Bill works for the most vulnerable and that all of the GLAA's existing and important work transitions successfully to the Fair Work Agency.

Best wishes,

A handwritten signature in blue ink, consisting of several loops and peaks, positioned above the printed name.

Lord Katz MBE
Lord in Waiting (Government Whip)