



Working Lives: The scale and nature of labour market non-compliance and other work-based harms in the UK

A report produced for the Fair Work Agency
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UCL Security and Crime Science

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Foreword

This landmark and innovative research project was commissioned in 2022 by the former Office of the Director of Labour Market Enforcement (ODLME). Responding to a statutory obligation under ODLME's founding legislation, the objective was to help fill a major evidence gap in our understanding of labour market non-compliance relating to minimum wage enforcement, employment agency standards, gangmaster licensing and more serious labour exploitation.

Following the introduction of the Employment Rights Act in 2025, since April this year operational compliance and enforcement activity in these areas as well as strategy and analytical functions carried out by the former ODLME now fall within the remit of the Fair Work Agency (FWA).

The project's findings are highly relevant to the FWA's work in the near term as it develops its first strategy for publication in early 2027, aligning with the Strategic Steer set by government. That this report identifies one in seven workers affected by non-compliance with employment laws in the FWA space demonstrates the scale of the challenge for us.

Longer-term the remit of the FWA will expand to include new areas, such as holiday pay, for state enforcement. The FWA will also need to work closely and collaboratively with those responsible for tackling other labour market issues and harms. This research also brings valuable insights around the gig economy, health and safety, bullying and harassment and worker voice, and where these can overlap with core FWA interests.

The FWA will itself have a similar obligation to the former ODLME to continue to provide a robust assessment of labour market risks. This will help inform how the FWA can make best use of its resources and demonstrate impact and value for money. Fundamental to this is striking the right balance between FWA support for employers to become more compliant and strong enforcement to address more deliberate and recidivist behaviour.

I therefore wish to thank the researchers for such an important and timely report. The Working Lives data set will be made available through the UK Data Service. I hope this will spur further analysis and research to inform future FWA thinking and wider policymaking.



Matthew Taylor, CBE FAcSS

Advisory Board Chair

Fair Work Agency

About the authors

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We are especially grateful to everyone who entrusted us with their experiences through the Working Lives Survey, interviews, and focus groups. This research simply would not exist without you. We hope we have done justice to your experiences and insights and that these will continue to inform attempts to improve working lives across the UK.

We are also extremely grateful to everyone who participated in our project advisory groups. We benefitted greatly from such a wide range of knowledge and insights. The advisory group members are listed in full later in this section and we thank you all. We also give a special mention to Lizzie Barmes, Leah Vosko and Andie Noack for your generous additional support over the years, and to all the advisory group members with current lived experience of precarious work: your insights were vital in shaping the design and seeking to ensure the research spoke to realities on the ground.

We are very thankful to Margaret Beels OBE, the third Director of Labour Market Enforcement, for commissioning this study, and her predecessors in post Matthew Taylor CBE and the late Professor Sir David Metcalf, for similarly recognising the need for this project and for laying the groundwork with the scoping studies they commissioned. At the Office of the DLME, we have had the privilege to work with a fantastic team throughout. Particular thanks go to Tim Harrison who was with us from start to finish, to James Wignall who was key in getting this research across the line, Bethan Hunt for all her support in the early days, and Kilian Gaillard for all his in the latter days. We are also very grateful to Lisa Pinney, CEO of the Fair Work Agency (FWA) and Matthew Taylor again, this time as the Chair of the FWA Advisory Board, for all their interest in this research and support publishing this report.

Thank you to our funders the Department for Business and Trade (DBT, formerly BEIS) and the Economic and Social Research Council for making this research possible. Thank you to the Understanding Society team for allowing us to field the Working Lives Survey as an Associated Study and opening access to your participant pool, and especially Violetta Parutis for all the support throughout. At Verian, we are very grateful for all the hard work on the Working Lives Survey. Particular thanks go to Leo Brownstein, Vicky Petrie, Nick Bellamy, Daisy Cheng, Richard Crawshaw, Hannah Carpenter, Mimi Aram-Walker, and Andy Knight on the Understanding Society team and Joel Williams, Rhona Graham and Andy Knight on the Public Voice team. We also really appreciated Focus on Labour Exploitation's work in facilitating the advisory group of people in precarious work – particular thanks go to Oliver Fisher, Olivia McAuliffe, Eleonora Paesani, Meri Åhlberg, Matthew Parsfield and Lucila Granada. At Acumen Fieldwork, we thank Elle Stephens for the excellent project management on the focus groups and Dan Hassall too.

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At UCLC, we really appreciated the support and administration over such a long and complex project – thanks go to Cassie Dawson, Barbara Boutouilli, Priyanka Prasad and Paul Hothi.

Overall, we count ourselves very fortunate to have done this research, and even more so to have done it with such a brilliant set of people.

Table 0.1: Advisory group members (names/organisations according to preferences)

Person	Organisation
Precarious workers advisory group	
No names or organisations included here, on confidentiality grounds	
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Prof Catherine Barnard	University of Cambridge
Prof Alan Bogg	University of Bristol
Prof David Cabrelli	University of Edinburgh
Prof Hugh Collins	LSE
Prof Anne Davies	University of Oxford
Prof Keith Ewing	Kings College London
Lord John Hendy KC	Old Square Chambers
Prof John Howe	University of Melbourne, Australia
Prof Deirdre McCann	Durham University
Dr Esther McGuinness	Ulster University
Prof Gráinne McKeever	Ulster University

Person	Organisation
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Prof Hila Shamir	Tel-Aviv University, Israel
Policy makers and operational staff (includes Technical Advisory Group)	
	Acas
	Department for Business & Trade
	Employment Agency Standards Inspectorate
	Employment Lawyers Association
	Gangmasters and Labour Abuse Authority
	Health and Safety Executive
	HMRC NMW
	Home Office
Keith Rosser	JobsAware
	Low Pay Commission
	Migration Advisory Committee
	Northern Irish Government
	Office of the Director of Labour Market Enforcement
Katherine Lawson	Office of the Independent Anti-Slavery Commissioner
	Scottish Government

Person	Organisation
	Welsh Government
Worker representatives	
Max Dewhurst	Cycle courier & IWGB Treasurer (Independent Workers' Union of Great Britain)
Nick Kardahji	Citizens Advice
	Focus on Labour Exploitation (FLEX)
Andy Chamberlain	IPSE (The Association of Independent Professionals and the Self-Employed)
	JCWI (Joint Council for the Welfare of Immigrants)
	Joseph Rowntree Foundation
	Landworkers' Alliance
	Migrants' Rights Network
	Share Action
	TUC (Trades Union Congress)
Narmada Thiranagama	UNISON
	UNITE
	USDAW (Union of Shop, Distributive and Allied Workers)
Bethany Birdsall	Work Rights Centre
Dr Ashley Austin	Young Women's Trust

<i>Person</i>	<i>Organisation</i>
Employers and employer representatives	
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Shazia Imtiaz	Association of Professional Staffing Companies (APSCO)
	Alliance of Labour Providers
Andrew Reaney	Boohoo
Simon Hollingbery FBICSc	British Cleaning Council
	British Frozen Food Federation
	Build UK
	Federation of Small Businesses
	HOPS Labour Solutions
Stephen Jones	London Chamber of Commerce and Industry
	National Farmers Union
David Michie	National Farmers Union Scotland
James Mallick	Pro-Force Ltd
	Stronger Together
	Tesco
	Uber
	UK Homecare Association

Person	Organisation
	UK Hospitality
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Prof Nick Clark	Independent researcher
Lindsay Judge	Resolution Foundation
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Dr Natalia Ollus	HEUNI (European Institute for Crime Prevention and Control, Finland)
Prof Nik Theodore	University of Illinois, Chicago, USA
Dr Alexander Trautrimis	University of Nottingham
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Prof Anne Visser	University of California, Davis, USA
Prof Leah Vosko	York University, Canada
Prof Louise Waite	University of Leeds

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Chapter 1: Introduction

Chapter summary

In this chapter, we introduce a major new study examining the scale and nature of labour market non-compliance in the UK, commissioned by the Director of Labour Market Enforcement. This integrated mixed-methods study was designed to support the Director in the statutory requirement to assess and report on this issue (the Secretary of State for Business and Trade must now discharge a very similar duty, via the new Fair Work Agency). Accordingly, our primary aim was to assess the scale, nature of non-compliance across the UK's four nations. We achieved this through a combination of representative survey methods and in-depth qualitative elements (i.e. in-depth interviews and focus groups). Our initial and primary focus was on people in precarious work, but the study's scope later expanded to include representative survey data on the UK workforce at large. This chapter also details the statutory context formerly governing the work of the DLME and of the enforcement bodies within its remit, as well as the major new changes in the scope and governance of labour rights brought about by the Employment Rights Act 2025. We finish the chapter by introducing foundational research commissioned by successive DLMEs, showing how that set the ground for the current report. Here we also explain our particular focus on precarious workers, who constituted an estimated 10-11.7% of the UK workforce over the period 2009 to 2022 (Pósch et al., 2024).

Introduction to the project, its purpose and scope

This publication is the final report on a major research programme into the scale and nature of labour market non-compliance in the UK, with a particular focus on the experiences of people in precarious work. The research was commissioned in 2021-22 by the then UK's Director of Labour Market Enforcement (DLME), Margaret Beels OBE. The study was co-funded by the Department for Business and Trade (DBT) and the Economic and Social Research Council (ESRC). The driving force behind the commission was the need to support the DLME to meet her statutory requirements under the Immigration Act 2016 (see next section) (Beels, 2025). The current research was underpinned by foundational research, commissioned by two prior DLMEs, and conducted by members of the same research team (introduced later in this chapter). Overall, this new report delivers much-needed evidence to inform and support labour market enforcement strategy and operations in the UK.

This new integrated mixed-methods study was designed to provide a strong, current and nuanced evidence-base, including baseline measurements of various apparent breaches of employment rights and other work-based harms. The project ran from June 2022 to November 2025 (41 months)¹ and covered all four nations of the UK. At its heart was the Working Lives Survey, an original large-scale survey of UK workers, that was delivered in two parts: first to a representative sample of precarious workers (via the Understanding Society Survey, complemented by respondent-driven sampling), then to a representative sample of the UK workforce at large (via the Public Voice Survey, Verian). The extensive statistical data was then enhanced by complementary qualitative elements, which enabled us to explore various issues with more depth, subtlety, and context. These included in-depth

¹ The project was originally due to run for 30 months but had to be extended due to factors beyond the research team's control (for details, see Pósch et al, 2024). There were two particularly positive effects of the delays, however. The first is that our eventual two-year window of focus for the survey (2023-2025) postdates the strongest Covid-19 effects. The second is that the completion of the report coincides well with the launch of the FWA, meaning the new agency will benefit from maximally current data and insights.

interviews with precarious workers who had taken part in the survey (*i.e.* a fully nested design), and a series of focus groups with workers whose earnings were at or under the UK median annual earnings.

Our primary focus throughout was on ‘labour market non-compliance’, as per the former DLME’s remit². For the purposes of this research, we used the following definition (with further details on the different bodies and their remits to follow later in this chapter):

“ ‘Labour market non-compliance’ is defined here as any breach that falls under the DLME’s specific remit. These are breaches that fall under the remit of the three enforcement bodies: The HMRC National Minimum Wage/National Living Wage (HMRC NMW/NLW) team, the Employment Agency Standards Inspectorate (EAS) (or the Employment Agency Inspectorate in Northern Ireland (EAI)), and the Gangmasters and Labour Abuse Authority (GLAA)” (Pósch et al., 2024, p. 44)

Defined this way, labour market non-compliance is varied in scope and extends across the ‘continuum of exploitation’ (Andrees, 2008; Skrivankova, 2010), from accidental and relatively minor infringements to deliberate and extreme violations within the former ODLME’s scope and now that of the FWA (Cockbain et al., 2019). The extreme end has attracted particular research and policy attention, often leaving less extreme but likely far more common issues comparatively overlooked (Cockbain et al., 2019; Davies, 2019; Labour Exploitation Advisory Group, 2024; Scott, 2017). It is important to note that we did **not** seek to establish the scale or nature of modern slavery offences within the then DLME’s remit (see also Chapter 2).³ Not focusing on these extreme violations was a necessary exclusion, due to several related factors:

“the need for a representative sample of workers across the UK; the impossibility of reliably sampling for people who are often extremely isolated and may not live in ‘households’ (e.g. caravans on farms or other temporary worker accommodation are not captured as such); and the fact that people in extreme exploitation may not have access to the internet or be able to complete a questionnaire safely.” (Pósch et al., 2024, p. 13)

While the then DLME’s remit was certainly broad in terms of the ‘continuum of exploitation’, it was also limited in terms of the proportion of employment rights it covered. As we noted in our prior scoping of the legal landscape, it is “striking the extent to which areas of employment law fall outside of the remit of the DLME, and state enforcement generally” (Pósch et al., 2024, p. 7). Consequently, we also sought to examine other particularly salient forms of ‘work-based harm’ (Scott, 2017), for example those in relation to health and safety, bullying, discrimination and harassment, and employment laws outside the ODLME’s immediate remit (see Chapter 2). In this research, we therefore define ‘work-based harm’ as extending beyond ‘labour market non-compliance’ (as defined

² For consistency and clarity, we reserve the term ‘labour market non-compliance’ throughout for those areas explicitly within the former ODLME’s remit, all of which are now also in the FWA’s remit. When we use alternative terms such as ‘non-compliant treatment’ or ‘breaches of workers’ rights’ we do so deliberately to signify broken laws beyond the former ODLME’s remit (such as breaches of other employment rights outside of their scope, or of health and safety, or equalities legislation, for example).

³ The Working Lives Survey did include some widely-used ‘indicators’ of forced labour (e.g., in relation to lack of payslips and aspects of potential debt bondage through recruitment fees). We report on these findings, but not with a particular focus on forced labour as 1) these issues are clearly relevant more broadly too and 2) establishing the prevalence of forced labour was not the goal here.

above) to incorporate breaches (and indeed potential breaches) of other laws that “can also contribute to a difficult working climate” (Pósch et al., 2024, p. 45).

Some the issues consequently also in focus here can be broadly unlawful (e.g. payslip-related violations) and many more can be unlawful, potentially breaching various laws, regulations and/or individual contractual terms (see also Chapter 8 for an overview of relevant legislation and Chapters 4-7 for details as relevant). Sometimes they represent a regulatory gap (e.g. most instances of unpaid extra hours of work). Moreover, even when laws are not breached, the experiences in question are undesirable and can be detrimental to people’s economic, social, psychological and physical wellbeing, and overall experiences of work (i.e. ‘lawful but awful’). Their inclusion within this study’s scope therefore ties in with the social harm perspective taken (see Chapter 2 for more details).

In the UK, the enforcement of workers’ rights is spread across numerous Government departments and agencies, the regulatory context is extremely complex. Enforcement of many rights fall to the individual, who are left to enforce their own rights enforcement via the Employment Tribunal (Judge & Slaughter, 2023; Pósch et al., 2024). Yet, while labour laws and their enforcement may be siloed, labour market non-compliance itself does not happen in a vacuum. Moreover, and as our results repeatedly make clear, workers can be exposed to a variety of breaches of labour laws and to other forms of unjust and harmful treatment at work. Workers cannot reasonably be expected to know and distinguish between which of their labour rights state agencies will enforce, and which rights they must seek to enforce themselves without the assistance of the State. Thus, if our aim is both to *understand* and to *improve* working conditions, there are real benefits to taking this broader lens and considering both labour market non-compliance and other work-based harms in tandem.

With the enactment of the Employment Rights Act 2025 (discussed later in this chapter), major changes are taking place in phases up until 2027, in relation to both policy and institutions around workers’ rights and their enforcement. Amid this context, this research supported on the statutory obligations of the DLME – and now those of the Fair Work Agency (FWA) – to assess the scale and nature of labour market non-compliance. It also provides crucial and timely evidence on a wider range of work-based harms impacting the lives of workers across the UK, including other breaches outside their immediate remits. The new quantitative data examines workers’ experiences over the two year-period leading up to the fielding of the survey (i.e. March-July 2023 to March-July 2025). The qualitative data from the in-depth interviews focuses on participants’ current and recent jobs at the time of interview (May-July 2025) but also looks back further, thus helping situate their recent lived experiences within their broader work and life trajectories. In a similar vein, the qualitative data from the focus groups (September-October 2025) draws both on current and past experiences, attitudes and perceptions.

The report’s insights into the experiences and perceptions of people working in the UK – and particularly of those in precarious and/or lower-paid work – have important implications for ongoing efforts to improve working conditions, labour market compliance, monitoring, enforcement and access to justice. Later in the report, we set out recommendations to the FWA and others within and beyond Government, and suggestions for future research directions (Chapter 12). Addressing these recommendations would help capitalise on this study’s contributions, and enable more evidence-informed, nuanced and – ultimately – effective strategy and practice, both in labour market enforcement and intersecting policy areas, on an ongoing basis.

Aims and research questions of the current study

In line with the statutory context around the former DLME's obligations outlined in the previous section, our primary aim with this project was to establish the scale, nature and correlates of workers' experiences of labour market non-compliance in the UK. Informed by foundational research commissioned by previous DLMEs (detailed in the next section) (Cockbain et al., 2019; Pósch et al., 2022a, 2022b), our initial and primary focus was on people in precarious work. The study subsequently evolved to encompass representative survey data on the experiences of the UK workforce at large (see Chapter 3).

We also had two secondary aims: 1) to explore the interplay between labour market non-compliance and other work-based harms and 2) to improve understanding of workers' access to justice, considering whether and how they felt able to exercise their rights, as well as barriers and facilitating factors for challenging breaches.

Accordingly, our study's overarching research question was: **'What is the scale and nature of labour market non-compliance in the UK?'** From a scale perspective, we sought to identify prevalence rates for various legal violations, potential violations and other harms in the workplace and to examine their correlates and co-occurrences. From a nature perspective, we examined the severity and impact of several such issues at scale and used qualitative methods to explore precarious workers' lived experiences of precarious work, labour market non-compliance and other work-based harms and how they responded to issues that arose. Finally, we combined quantitative and qualitative elements to examine experiences of and attitudes towards trade unions and staff associations in more depth.

Statutory context – then and now

The independent Office of the DLME (hereafter ODLME) was established under the Immigration Act 2016 and repealed by the ERA 2025, which established in its place the FWA. As such, the statutory context has changed between the data collection period and publication of this final report. While we focus primarily in this section on the system underpinning the study as it was, we also draw out how this has changed with the official launch of the FWA on 7 April 2026. In short, the FWA has absorbed all functions within the ODLME's original remit (detailed shortly). will have an expanded remit from April 2027: when it starts to enforce holiday pay (DBT & FWA, 2026).

At the time of our research (2022-25), the labour market enforcement landscape was considerably more fragmented. The ODLME was itself established with the stated intent to "improve the effectiveness of the enforcement of certain employment rights to prevent non-compliance and the exploitation of vulnerable workers, via an intelligence-led, targeted approach" (Home Office, 2016, p. 1). The ODLME was co-sponsored by DBT (formerly BEIS⁴) and the Home Office (Beels, 2026). The first Director was appointed in January 2017 and the last left office in April 2026 (Beels, 2026; Metcalf, 2017). Over nearly a decade, the ODLME's remit spanned the three state labour market enforcement bodies active across Great Britain (and in some cases the whole UK): the Employment Agency Standards Inspectorate (EAS)⁵; the Gangmasters and Labour Abuse Authority (GLAA); and His Majesty's Revenue and Customs National Minimum Wage Enforcement Team (HMRC NMW). As of 7

⁴ The Department for Business, Energy and Industrial Strategy, since replaced by DBT.

⁵ Please note the Employment Agency Standards has a separate function in Northern Ireland called the Employment Agency Standards NI which is not managed by the Department for Business and Trade.

April 2026 (when the FWA launched), the Employment Agency Standards Inspectorate (EAS) and the Gangmasters and Labour Abuse Authority (GLAA) were abolished, and their functions and powers transferred to the FWA. In contrast, HMRC NMW will continue to enforce on behalf of the FWA through its ‘transitional year’ of 2026-27, before officially transferring into the FWA in April 2027 (DBT & FWA, 2026).

The DLME had a statutory requirement to produce an annual labour market enforcement strategy. By law, that had to include their assessment of “the scale and nature of non-compliance in the labour market” (Section 2, Immigration Act 2016). This assessment had to cover the situation in the year prior to the strategy, expectations for the year during the strategy, and the following two years. The DLME was also mandated to coordinate and share data across the three labour market enforcement bodies. The ODLME also worked with other agencies and organisations as relevant, reflecting the broader ecosystem dealing with work-related harms. Relatedly, the ODLME also had a statutory obligation to establish an ‘Information Hub’ (Section 8, Immigration Act 2016). In practice, this function involved an analytical team “that incorporates intelligence from and facilitates data-sharing between the three enforcement bodies”, “coordinates appropriate data from other statutory bodies” and “has a research function” in terms both of gathering existing research and commissioning new research to improve knowledge on the scale and nature of labour market non-compliance (Gov.uk, 2020/21, p. no page). Within this context, the current project was commissioned to make a substantial contribution to the wider evidence base of data, intelligence and other studies that can together inform the FWA’s labour market enforcement strategy and evidence base.

The three enforcement bodies, overseen by the DLME, varied considerably not only in terms of the scale of their remit (geographically, by breach and by worker status⁶), but also by resourcing and staffing levels. For example, the DLME stated in 2025 that, “HMRC NMW has around 450 staff, GLAA over 100 and EAS just 30” (Beels, 2025, p. 4). More broadly, the UK has long been recognised as having one of the lowest rates of labour inspectors in comparable OECD countries, at under a third of the International Labour Organization’s recommended benchmark of 1 inspector per 10,000 workers (see, e.g., (Judge & Slaughter, 2023). The DLME reflected in her concluding statement on a variety of challenges encountered in post, including a plateau in funding, data and intelligence gaps, limited appetite for evaluation, determining the most effective and best value for money approaches, and lack of joint working across the three bodies (Beels, 2026)⁷.

We briefly introduce the three bodies the DLME oversaw:

First, HMRC NMW enforced – and will still enforce until April 2027 (see above)– across the UK on non-payment or under-payment of national minimum wage/national living wage (hereafter NMW), associated penalties, and various forms of record keeping required by law (the core legislation here is the National Minimum Wage Act 1998 and the National Minimum Wage Regulations 2015). Relatedly, it can also address deductions from wages that might push a worker below NMW (there are some

⁶ Under UK employment law, worker status is very salient in determining what rights and protections are accorded to someone. The system is complex and proposals are underway to simplify it, but at present there are three main categories: employees (who have the most protections); ‘limb b’ workers (who are included in some but far from all protections); and the self-employed (who have relatively few protections, including being excluded from NMW). For more on how different rights apply (or do not) by worker status, please see the legal scoping in our interim project report (Pósch et al., 2024).

⁷ ODLME concluding statement, available at: <https://www.gov.uk/government/publications/director-of-labour-market-enforcement-dlme-concluding-statement>

permitted exceptions), but it does not enforce on non-payment, underpayment or unfair deductions if they do not push pay below NMW (for more details, see (Pósch et al., 2024).

Second, the operations of the GLAA were governed by two main pieces of legislation: the Gangmasters (Licensing) Act 2004 and the Immigration Act 2016. It was responsible for licensing labour suppliers ('gangmasters') across the UK, but in four regulated sectors only (agriculture, horticulture, shellfish gathering, and processing and packaging connected to agriculture). In these sectors, it could enforce licensing laws (e.g. breaches of terms of a licence, operating without a licence, or using an unlicensed supplier). It also had a broader remit to enforce on extreme labour abuse (human trafficking and other modern slavery offences) across much of the labour market, although here its powers and role varied by nation. They were strongest in England and Wales, where it could investigate criminal offences under the Modern Slavery Act 2015, Employment Agencies Act 1973, and National Minimum Wage Act 1998. Its activity in this regard was more limited in Scotland, and it did not have these powers at all in Northern Ireland⁸.

Finally, the EAS regulated certain aspects of agency work in England, Scotland and Wales. The EAS could deal with breaches under the Employment Agencies Act 1973 and Conduct of Employment Agencies and Employment Businesses Regulations 2003 via prosecutions for criminal offences, including for withheld wages and unlawful agency fees. However, the EAS had very limited powers of civil enforcement: it did not have a general power to recover unpaid wages or holiday pay⁹, and it had a stark lack of resources and no power to enforce the Agency Worker Regulations 2010. Notably, the EAS could also prohibit individuals from running employment businesses or agencies in case of past violations (for more details on these enforcement gaps, see (Pósch et al., 2024). In Northern Ireland a similar role was performed by the Employment Agency Inspectorate (EAI), but that did not fall within the DLME's remit and has not been affected by the FWA's introduction. Thus, the EAI will continue to have the remit for regulation, inspection and enforcement in relation to employment agencies and businesses in Northern Ireland.

Further complicating matters, there is also other state enforcement of certain employment rights that fall beyond the then-ODLME's and now FWA's remit. For example, Statutory Sick Pay is currently enforced by HMRC's Statutory Payment Dispute Team, as is maternity and paternity pay (Pósch et al., 2024). There are also other state regulators which are not generally described as 'labour market enforcement bodies' but nevertheless do important work to address other violations and harms in the workplace (e.g. the Health and Safety Executive and the Equality and Human Rights Commission). These fall outside the remit of the then DLME and now FWA. The breaches they enforce (for example of health and safety or equalities legislation) would not have been considered 'labour market non-compliance', as per the ODLME's remit, and thus do not match the definition thereof used in this research. In addition, mistreatment in the workplace may amount to criminal offences (e.g. in some cases of physical injury, harassment or verbal, physical and/or sexual abuse). In such instances, the state enforcement agency would be the police. There are also numerous labour rights that fall outside the remit of any state enforcement, and are left for the individual workers to pursue (if at all) through the Employment Tribunal (Judge & Slaughter, 2023; Pósch et al., 2024).

⁸ See, e.g., <https://www.gla.gov.uk/who-we-are/what-we-do>

⁹ The EAS could *investigate* withheld wages and interpreted that to include holiday pay following *HMRC v Stringer* [2009] UKHL 31, but its enforcement powers meant it could not actually directly *recover* the money itself. It could, however, request a labour market enforcement undertaking/order covering the breach, which could enable indirect recovery of such wages. In practice, these were rare (Pósch et al., 2024).

Amid this context, it is unsurprising that the UK had long been characterised – including by the ODLME itself (e.g., (Metcalf, 2018, 2019) – as having a complex and highly fragmented system of labour market enforcement (see also, e.g., (Balch, 2015; FLEX, 2017; Judge & Slaughter, 2023; Pósch et al., 2024). Attempts at reform have been in and out of the political spotlight in recent years, with two particularly notable developments.

First, as part of their 2019 General Election manifesto, the Conservative Party pledged to introduce a Single Enforcement Body, that would consolidate and streamline labour market enforcement (The Conservative and Unionist Party, 2019). That commitment stalled once in office and never materialised, despite a formal consultation on a Single Enforcement Body and a Government response that acknowledged the “deeply fragmented enforcement landscape” and “confirms the Government’s commitment to create such a body” (BEIS, 2021, p. 4). Over this period, a wide range of stakeholders emphasised the need to consolidate and strengthen labour market enforcement in the UK, including trade unions, employers’ organisations, academics, charities, legal representatives and both the DLME and the Independent Anti-Slavery Commissioner (see, e.g., (Butler, 2023; Judge & Slaughter, 2023; Rights Lab & Office of the Independent Anti-Slavery Commissioner, 2023; TUC, 2022).

Second, in their 2024 General Election manifesto, the Labour Party pledged to implement a new plan for workers (“Labour’s Plan to Make Work Pay: Delivering a New Deal for Working People”) (The Labour Party, 2024). It promised to introduce relevant legislation within 100 days of taking office and detailed, among other areas, its commitment to “banning exploitative zero hours contracts”, “ending fire and rehire”, “introducing basic rights from day one to parental leave, sick pay, and protection from unfair dismissal”, to “create a Single Enforcement Body to ensure employment rights are upheld”, and to “strengthen the collective voice of workers, including through their trade unions” (The Labour Party, 2024, p. 45). The Labour Party came into office on 5 July 2024, and the Employment Rights Bill (ERB) was introduced to Parliament 97 days later, on 10 October 2024.

Despite tensions and stand-offs as the legislation made its way through parliament, and subsequent compromises (most notably around qualifying periods for unfair dismissal¹⁰, see, e.g., (Pickard & Strauss, 2025), the ERA 2025 was eventually passed on 18 December 2025. It introduced a whole suite of additions and amendments to existing legislation, including around enforcement agencies (more details shortly), sick pay, unfair dismissal, harassment, fire and rehire, trade unions, paternity leave, zero hours contracts, and Employment Tribunal time limits.¹¹ Virtually all changes should come into force in phased rollout across 2026 and 2027 (Acas, 2025), albeit with some “critical details” yet to be clarified in secondary legislation (e.g., (Pratley, 2025, p. no page). In a recent analysis of the anticipated legal and economic impacts of the ERA, researchers at the University of Cambridge and the Department for Business and Trade concluded that “UK labour law protections, as whole, would move closer to the OECD average” and estimated the ERA will likely have “small positive effect on employment, representing an increase of around 0.1% in the employment level” (Carter et al., 2026, p. 6).

The ERA changes not just employment laws but the organisational landscape around their enforcement. Thus, it provides for the long-anticipated introduction of a Single Enforcement Body for

¹⁰ The current qualifying period is two years, which the Employment Rights Act reduces to six months. The Labour Party had promised “day one” protections against unfair dismissal (The Labour Party, 2024).

¹¹ For further details on different measures introduced by the ERA 2025, please see the collection of factsheets at: <https://www.gov.uk/government/publications/employment-rights-bill-factsheets>

employment rights, i.e. the FWA. The FWA officially launched on 7 April 2026 and operate as an Executive Agency of the Department for Business & Trade (DBT, 2026).¹² As previously mentioned, the rollout of the FWA will proceed in stages, first with a transitional year (2026-27), at the start of which it absorbed two of the three labour market enforcement bodies the DLME previously oversaw, with the third to follow (HMRC NMW) in April 2027. At that point, the FWA will have finished consolidating the three labour market enforcement bodies discussed above and their functions and powers. From April 2027, it will then also assume enforcement responsibilities for additional employment rights, starting with holiday pay from April 2027. Expectations have been set that it will work towards a gradual further extension of its remit, taking on new enforcement responsibilities (e.g. around Statutory Sick Pay) (DBT, 2026). However, the details remain uncertain. Thus, the FWA has been set the task of working out “a clear plan to extend enforcement to other rights” (DBT & FWA, 2026, p. 8).

The FWA’s budget was recently announced at £60.1 million for 2026/27, which is a roughly 27% increase on “the combined budget of £47.4m for the predecessor bodies in 2025/26” and was said to “ensure the agency is properly resourced to carry out its statutory functions from day one, with clear expectations for delivering value for money” (DBT & FWA, 2026, p. 5). The FWA has been set five priorities to deliver in this transitional year: 1) “reducing regulatory burdens”, 2) “intelligence and data”; 3) “public awareness and stakeholder engagement”; 4) “thought leadership” and 5) “preparing for 2027 and beyond” (DBT & FWA, 2026, p. 5).

As stipulated in the ERA, the FWA’s work will be overseen by a tripartite “advisory board with a social partnership model: equal representation from businesses, trade unions and independent experts” (DBT, 2026, p. 2). The nine inaugural FWA Advisory Board members were appointed and announced in March 2026.¹³ In addition, the recently published Strategic Steer from the Secretary of State to the FWA stipulates that in its transitional year the FWA should also focus on convening “partner regulators, civil society, business representatives, trade unions and academics” to share learning and vision and help in “assessing the effectiveness of different enforcement approaches”, “identifying where legislative, operational or strategic changes may be required” and “informing future remit expansion of the FWA” (DBT & FWA, 2026, p. 7).

As with the ODLME before it, the FWA is associated with a statutory requirement to report on the “scale and nature of labour market non-compliance”, albeit with somewhat different responsibilities, timelines and scope. Thus, the ERA mandates the Secretary of State to publish a report on the work of the FWA *annually* and a labour market enforcement strategy *every three years* (both were annual requirements of the DLME). The strategies must provide an assessment of “(i) the scale and nature of non-compliance with relevant labour market legislation during the period of three years ending immediately before the strategy period, and (ii) the likely scale and nature of such non-compliance during the strategy period” (Section 94, ERA 2025). The FWA has already been directed to prepare to publish its first Statutory Enforcement Strategy in April 2027 and its first Statutory Enforcement Annual Report “as soon as possible after the end of the 2027/28 financial year” (DBT & FWA, 2026, p. 10)

¹² Being an Executive Agency means it does not have its “own distinct legal identity”, so instead the ERA 2025 gives the Secretary of State for Business and Trade “a series of functions to enforce certain employment legislation” which “will in practice be discharged through the FWA” (DBT, 2026, p. 1).

¹³ See <https://www.gov.uk/government/news/fair-work-agency-advisory-board-appointed-ahead-of-april-launch>

The current research therefore comes at an opportune time; indeed, the outgoing DLME identified it as offering “an invaluable foundation for the future work of the FWA” (Beels, 2026, p. 20). It does so through providing unprecedented and much-needed data on a wide range of legal violations, potential violations and other work-related harms across the UK labour market. The evidence presented here can help both with strategy around enforcing the FWA’s current remit and thinking towards a future remit expansion.

Foundational research commissioned by the ODLME

Here we summarise the contributions of three foundational pieces of work commissioned by the DLME that laid the groundwork for the design and delivery of the new research in this report (Cockbain et al. 2019; Pósch et al. 2022a, 2022b; and Pósch et al. 2024).

In 2018, the first DLME in post, Professor Sir David Metcalf CBE, commissioned a small-scale scoping study to explore what approaches to research – alone or in combination – would be best suited to establish the scale and nature of labour market non-compliance in the UK. To meet this brief, members of our research team reviewed and analysed five main approaches: review methods; analysis of existing administrative data; worker surveys; worker interviews; and stakeholder interviews (Cockbain et al., 2019). We assessed each against criteria which reflected (among other things) the DLME’s need for a good reach across the UK, high quality data, breadth of insights, depth of insights, generalisability to the wider population, potential for replication, timeliness, and value for money. For the DLME’s statutory duty to report, the scoping study highlighted the inadequacy of existing secondary data, be it administrative or academic. The final (strong) recommendation was to commission a worker survey, ideally combined with in-depth interviews with workers and additional consultation with various stakeholders.

This recommendation was endorsed by all three Directors who occupied the post, and directly informed the tender for the current programme of research (Beels, 2026; UK Shared Business Services, 2021). A mixed-methods approach reflects the fact that questions of ‘scale’ are best answered quantitatively, whereas ‘nature’ has both qualitative and quantitative dimensions. We identified the Understanding Society Survey (USS) – the world’s largest household panel survey – as a “particularly promising choice” (Cockbain et al., 2019, p. 26) for a worker survey in the UK, and spoke to the potential of combining traditional (random) probability sampling with respondent-driven sampling, so as to maximise reach and insights into a population that might be hard-to-reach otherwise.

Next, a second relatively small-scale piece of work was commissioned in 2019, by the second DLME, Matthew Taylor CBE (now the inaugural Chair of the Advisory Board of the FWA). Again conducted by our team members (Pósch et al., 2022a), this time it was an empirical piece of research with the two main goals: 1) to assess the changing scale and nature of precarious work in the UK and 2) to understand whether the USS data was indeed a viable existing infrastructure for surveying precarious workers in the UK at scale. The report explained that there were compelling grounds for the Government to focus on experiences of labour market non-compliance affecting this population because:

“1) precarious workers are likely to be at a high risk of experiencing labour market non-compliance; 2) non-compliance tends to particularly impact upon precarious workers’ physical and psychological well-being; and 3) precarious workers appear rarely to report, or seek justice, when faced with non-compliance.” (Pósch et al., 2022a, p. ii)

Reviewing the existing literature internationally, we emphasised that there had been far more focus on the theory of precarity than actual empirical measurement of precarious work. We also identified that there was not a clear consensus around how best to conceptualise – let alone measure – precarious work, but that certain themes were common. Thus, the approach developed here for measuring precarious work (via categorising people as precarious workers or not) was pragmatic, needing to be: 1) theoretically informed; 2) suited to statistical analysis; and 3) reliant on measures that would be viable and informative for the USS dataset specifically. The measure was derived from existing USS data, from which inferences could be drawn to the wider population. To be categorised as a ‘precarious worker’, someone had to meet certain combinations of two or more of the following criteria: non-traditional work, having low income, working at a small workplace, and having an immigrant and/or ethnic minority background (for more detail, please see Chapter 3).

The full report was completed and then published in 2022 (Pósch et al., 2022a), together with an appendix extending the analysis to include two subsequent waves of survey data that had come out in the interim, and to comment on the possible impacts of the COVID-19 pandemic on precariousness at work (Pósch et al., 2022b). The final figures indicated that between 2009 and 2020, approximately 8.5% to 9.7% of the UK workforce (or 4.9-5.4% of the UK population) could be considered precarious workers. Ways in which these results challenged some of the common accepted wisdom on precarious work (e.g. that it is becoming ever more common) are discussed further in Chapter 2.

Finally, the interim report for the current project was published in November 2024 (Pósch et al., 2024). It detailed the work conducted over the first 21 months of this 41-month programme of research. In particular, it contained revised, extended and new analyses of precarious work, using existing USS data, and an extensive scoping of the legal landscape around labour market non-compliance and other work-based harms and their enforcement. At this stage, we revised the threshold for ‘low pay’ upwards from 60% to 66% of the median income, which is in line with the OECD definition of relative poverty and aligned with the UK’s commitment for National Living Wage to be 66% of median earnings (Low Pay Commission 2026)¹⁴.

Based on revised estimates thanks to the new variables introduced to the USS survey data, **we found that 10-11.7% of the UK workforce could be classified as precarious workers over the period 2009 to 2022**. Once again, we found that the proportion of precarious workers was remarkably stable over time, which runs contrary to expectations from much of the prior literature (namely that the share of people in precarious work would have increased, particularly given the changing landscape around gig and platform work). Ways in which precariousness concentrated by region, industry, sex, age etc., are explored in more detail in the next chapter (Chapter 2). As before, we also recognised that while a binary measure of a precarious worker was necessary for this study’s purposes, this yes/no metric does not capture possible changes over time in the intensity and/or impact of precarious work. In other words, while the absolute proportion of precarious workers was surprisingly stable, their experiences might have shifted for better or for worse.

This interim report also presented a novel longitudinal analysis to investigate life-trajectories into, through and out of precarious work. We identified five distinct groups of precarious workers, and the results underlined considerable variation within their life trajectories and showed that, for example, “some groups tend to age into more secure employment, others become increasingly precarious over time, and others dip into and out of precarious work” (Pósch et al., 2024, p. 3). From a policy perspective, the ‘increasingly precarious’ group (representing 8% of the UK workforce) is of particular

¹⁴ Low Pay Commission, available at: [The National Minimum Wage in 2026 - GOV.UK](https://www.gov.uk/government/publications/the-national-minimum-wage-in-2026)

concern as they got into a more and more precarious position over the studied decade. While these analyses help understand trajectories, it is important to note that the Working Lives Survey itself was only a one-off cross-sectional survey which can serve as a baseline for future inquiries but cannot currently identify trends.

The legal scoping was a crucial stage, needed to ensure the survey development was informed by an accurate, nuanced understanding of the legal landscape, and that the eventual survey instrument included measures that mapped as well as possible onto underlying potential breaches. Early in the project, we therefore reviewed thoroughly the employment rights, rules and regulations across the UK's four nations (please note employment law is devolved in Northern Ireland, and enforcement differs in some respects in Scotland). The review highlighted numerous complexities, enforcement gaps and challenges. The overall situation can be summarised as follows:

“Notably, the DLME’s remit is relatively narrow compared to the wider regulatory framework and its reach covers three labour inspectorates only. Overall, we catalogued a very broad and complex regulatory framework with considerable room for improvement in comprehensive enforcement coverage and coordination by state bodies. The limited operational capacity of state enforcement bodies, often facing resource challenges, and the difficulties associated with individual complaints-based enforcement, as well as the complexity of employment rights, create risks of under-enforcement. A substantial proportion of labour market regulations fall outside its scope, including dismissal, discrimination, health and safety at work, trade union rights, and much more. As such, labour market enforcement in the UK relies heavily on individual complaints by workers to a court or tribunal. There are numerous barriers to doing so, including limitation periods and limited access to legal advice. In addition, relatively few criminal offences are used to tackle non-compliance in the labour market, and most employment rights are not backed by criminal sanctions for serious, widespread, repeated and deliberate breaches. The reliance on civil sanctions risks fines and compensation for workers being simply factored into the ‘cost of doing business’. Moreover, it needs to be recognised that access to some employment rights is restricted with their scope narrowed greatly by legal rules on employment status, qualifying periods of employment, and so on.” (Pósch et al., 2024, p. 4)

Interested readers can also find detailed information on the survey conceptualisation and operationalisation stages in the interim project report (Pósch et al., 2024). To avoid duplication and for brevity’s sake, these areas are not covered in the current report.

Overview of the report

The remainder of this report is structured as follows:

- In Chapter 2, we provide a literature review to help contextualise the current study, discussing precarity, precarious work, work-related non-compliance and broader harms, enforcement, and a social harms perspective.
- In Chapter 3, we introduce the methods for our project, explaining the process and rationale for the mixed-methods approach and providing an overview on sampling, sample composition, and topics covered.
- In Chapter 4, we present our survey findings on ‘financial harms’, namely NMW violations, unfair deductions, and unpaid extra hours.
- In Chapter 5, we present our survey findings on ‘administrative violations’, namely breaches around payslips, contracts and key information documents, and leave-related difficulties.
- In Chapter 6, we focus on our survey findings around a group of violations broadly related to ‘health and safety and mistreatment at work’, namely physical injuries at work, negative mental health effects of work, bullying and harassment, and concerns related to physical and/or mental health.
- In Chapter 7, we present deep dives into the experiences of agency workers, the self-employed and gig/platform economy workers, again based on our survey data.
- In Chapter 8, we analyse the overall distribution of the different categories of legal violations, potential legal violations and other harms identified through the survey and assess the implications for targeted enforcement strategies.
- In Chapter 9, we turn to the first qualitative findings of the study, identifying factors that appeared to mediate precarious workers’ experiences of precarious work, labour market non-compliance and other work-based harms.
- In Chapter 10, we consider how precarious workers respond to labour market non-compliance and other work-based harms, again drawing on our in-depth qualitative data to identify different response options and pathways.
- In Chapter 11, we present a mixed-methods analysis of workers’ experiences of and attitudes towards trade unions and staff associations, bringing together both quantitative (from the survey) and qualitative (from focus groups) elements.
- In Chapter 12, we finish with a series of recommendations to the FWA and others elsewhere in Government and beyond. These are based on the findings of this study as a whole, consultation with diverse experts, and the broader international evidence base.
- Finally, we also provide Technical Appendices, where interested readers can find detailed technical accounts, additional statistical results, and supporting documentation (e.g. copies of survey questionnaire, interview and focus group guides).

Chapter 2: Literature Review

Chapter summary

This chapter provides a literature review to situate the current research project and its empirical findings. It is divided into six sections. The first section focuses on understanding and conceptualising precarious work, given that our research compares precarious workers in the UK with the wider workforce and given the suggested links between precarious work and breaches of workers' rights. Notably, we distinguish between precarious work as an objective observable phenomenon and precarious work as involving varied subjective lived experiences. In this respect, not all workers that could be categorised as precarious have problematic working conditions: some individuals are more insulated than others from the negative impacts of insecure and low-wage jobs. The second section focuses on contextualising the UK labour market. It highlights how wider structural forces have shaped work and its governance in the UK, and points to the virtuous and vicious circles between work and health that need to be taken into consideration to reduce economic inactivity. The third section calls for an intersectional lens to understand the social dimensions of precarious work and labour market non-compliance, recognising that multiple overlapping disadvantages can affect workers. In section four, the UK's compliance and enforcement regime is profiled, and two of the main mechanisms for addressing non-compliance are discussed: the Employment Tribunal system and the three state enforcement bodies under the remit of the former Office of the Director of Labour Market Enforcement (ODLME). The fifth section discusses seven broad categories of issues in the workplace (not mutually exclusive): 1) criminal infringements; 2) financial violations; 3) health and safety violations; 4) denial of leave and break entitlements; 5) discrimination; 6) dismissal and redundancy violations; and 7) documentation-related violations (i.e. payslips and contracts). The way in which these seven problems overlap is still poorly understood. Finally, we end the chapter by situating labour market non-compliance (defined per the then ODLME's remit) within a broader social harm perspective, arguing that this offers a vital entry point for our research findings. The social harm perspective emphasises the complex causes underpinning problems at work (including but not restricted to labour market non-compliance) and acknowledges negative impacts that can emerge issues that can be problematic without being unlawful. It also cautions against isolating labour market non-compliance from its broader context and provides an important entry point for framing this study.

Understanding and Conceptualising Precarious Work

A sizeable international body of academic literature now exists focusing on precarious work/workers (see Pósch et al., 2022a). Key contemporary drivers of precarious work include the 'fissuring' of workplaces into complex networks (Weil, 2014) and the rise in non-standard employment practices (e.g. part-time, on-call, gig economy work) (ILO, 2016). The academic literature commonly raises concerns around these phenomena, and labour market exploitation and breaches of workers' rights – including but going beyond 'labour market non-compliance' as defined by the then ODLME's remit (see Chapter 1). It should be noted, however, that not all people engaged in precarious work see such work as problematic (see Chapter 9). Our decision to focus significant research attention on precarious work/workers related to the existing academic arguments indicating both a rising prominence of precarious work/workers over the 21st century and suggesting a high risk of such work leading to labour market non-compliance and broader exploitation (Cockbain et al., 2019).

A risk-based approach has also characterised labour market compliance and enforcement activity in the UK, with groups perceived as vulnerable (such as precarious workers) and at-risk sectors (such as agriculture, care and construction) being highlighted as priorities (e.g. Metcalf, 2018, 2019). Additionally, the UK legislation – for example, around National Minimum Wage violations and agency licensing regulations – directs attention onto certain types of ‘at risk’ workers and sectors.

Precarious work has been linked in the academic literature to the breakdown of the post-war consensus across the Global North, and associated shifts in the wider political economic context (Bone, 2021; Formby et al., 2024). The key argument is that, since the 1970s, there has been a move away from Fordist to more flexible Post-Fordist modes of production, allied with significant de-industrialization.¹⁵ There is also a key link between precarious work and precarity. Precarity concerns a broad existential sense of insecurity across numerous aspects of everyday life, with precarious work a major, but not sole, contributing factor (for a discussion of definitions and links between the two, see: Pósch et al., 2022a).

The thesis around the growth of precarious work has been criticised for being Western-centric, overlooking the fact that precarious work has long been much more of a norm in other parts of the world (Munck, 2013). In addition, and more significantly for our UK-based study, some also argue that the scale of the shift towards precarious work has been overstated. The predominant view has been that precarious work is rising and that: “the world of work is changing rapidly, and precarious employment is becoming more prevalent in Britain and elsewhere” (Haile, 2023). There are a few scholars, however, who call for a more cautious interpretation, emphasising how precarious employment is not growing as fast as has been portrayed, and that it remains the exception in the West (Choonara 2020; Fevre, 2007; Pósch et al., 2024).

Choonara (2020), for instance, argues that employers are not solely interested in passing market volatility onto workers, but are also keen to ensure they are able to retain and reproduce labour power in the long run. In other words, employers face contradictory imperatives associated with navigating market insecurity *and* with ensuring they secure and retain not only the right number but also the right quality of workers. Choonara (2020) concludes that in the UK: “the picture in much of the literature of a relentless rise in precarity is strikingly at odds with the stability of the bulk of the labour force”.

Furthermore, even if one takes a broader measure of changes in work, such as job satisfaction, the picture remains more optimistic than much of the literature suggests. The Resolution Foundation (Shah and Tomlinson, 2021) find that job satisfaction levels in the UK have declined only slightly over the past 30 years. This said, they also find that the numbers of workers who feel ‘stressed’ through work and/or ‘used up’ at the end of the working day has grown in the UK over time (see also Mental Health UK, 2026). So, it appears that there are problems associated with the changing work offer, possibly linked to growing intensification of work tasks and/or higher levels of work responsibilities. Crucially these affect the wider workforce, not only those in precarious work.

¹⁵The shift from Fordist to Post-Fordist production and employment gathered pace from the 1980s in response to profitability crises. Post-Fordism emerged against the backdrop of rigid, homogenous, centralised and bureaucratic Fordist production systems with strong union power. It offered, instead, more flexibility, individualised labour relations, a ‘just-in-time’ manufacturing process, and the focus on customised/niche consumer markets. The shift to Post-Fordism has impacted, amongst other things, job security and trade union power.

As far as UK estimates of precarious work are concerned, it is important to note that defining and measuring the phenomenon is far from straightforward, and to some extent this accounts for the lack of consensus around whether and to what extent precarious work is growing. Our own research has found that the proportion of precarious workers in the UK has been remarkably stable in recent years: using data from the Understanding Society Survey, we estimated that between 2009 and 2022 some 10-11.7% of the workforce could be classified as precarious workers (Pósch et al., 2024). This is a still a sizeable proportion of the UK workforce, even if our results called into question the common position that precarious work is on the rise (see also Chapter 1 for further discussion).

Using a different approach, the Living Wage Foundation (2023) found that 6.1m workers in the UK were in insecure work in 2023, with 3.4m being in low paid insecure work. This amounts to 19% and 11% of UK workers respectively.¹⁶

It is worth flagging here that whilst ‘insecure’ and ‘precarious’ work are often used interchangeably, they are in fact different. Insecure work is simply work that is unstable and unpredictable. Precarious work is usually considered to be work that is insecure *and* low-paid, whilst often also being seen as problematic in terms of its quality and its associated exploitative nature. Our definition of who constitutes a ‘precarious worker’ for the purposes of the current study is outlined in Box 2.1.

Textbox 2.1: Our definition of a precarious worker for the Working Lives Survey

We used four dimensions to define precarious workers:

1. Low income: under £24,000 (less than two thirds or 66% of the approximate median pre-tax earnings of workers in the UK in March 2025)
2. Non-traditional work: defined as any paid work other than being an employee in a single job, such as having multiple jobs, being self-employed, agency worker, working in the gig economy, doing an apprenticeship, or any combination of these
3. Working for a small firm: the number of people at the workplace being between 1 - 49.
4. Ethnic minority and/or immigrant background: being from an ethnic minority and/or being born outside the UK.

Based on this, we defined someone as a precarious worker if they: either (1) have a low income and are in non-traditional work; or (2) are an immigrant/member of an ethnic minority and work at a small firm and have a low income; or (3) are an immigrant/member of an ethnic minority and work at a small firm and are in non-traditional work. For more details, see Pósch et al. (2024, 2022a),

¹⁶ These two approaches differed in their methodology. Pósch et al. (2024) used measurement modelling (principal component analysis) and defined a set of qualifying criteria for someone to be considered a precarious worker. By contrast, the Living Wage Foundation defined two components: low pay (earning below the Real Living Wage) and insecure work (workers on varying hours and rates, non-permanent jobs, low paid self-employed, zero hours contract) and considered their overlap, but also their separate influences.

Notably, links have been documented between precarious work and negative health outcomes, with work seen as a key social determinant of health. Quantitative research in this area is more common than qualitative research (see for example, De Witte et al., 2016; Matilla-Santander et al., 2021). Matilla-Santander et al. (2021), for instance, compared the health status of precarious workers with unemployed individuals across 35 European countries and concluded that: “unemployment and higher degrees of precariousness can be similarly health damaging”. Specifically, they found significant associations of higher prevalence of bad health status, headache, skin and hearing problems, anxiety, fatigue, backache, upper and lower muscular pain and injuries among precarious workers compared with those with non-precarious workers (Matilla-Santander et al., 2021). Similarly, Sumner et al. (2020: 306) looked at levels of fibrinogen and chronic stress (inflammation) and found that: “temporary employment has little inflammatory difference to unemployment”. Likewise, in a rare qualitative study, Perri et al. (2024) show that: “engagement in precarious employment manifests into experiences of high stress, trauma, anxiety, and depression for not only workers but also their families”.

In terms of UK research, Haile (2023) finds that workplaces with precarious employment, especially those with zero-hours contracts¹⁷, are significantly unhealthier in terms of injuries, illness, job satisfaction and/or job anxiety. In a similar vein, a recent Work Foundation report (Gable and Florisson, 2023) concludes that insecure work negatively impacts health, with insecure workers twice as likely as secure workers to experience job-related stress 4-6 days a week (26% compared to 13%). Importantly, according to the Work Foundation, insecure work appears to disproportionately impact the mental health of women (Gable and Florisson, 2023) (see also Young Women’s Trust, 2025).

Given the number of people in the UK affected by long-term health issues who are either not in employment or in employment but with a work-limiting health condition (Atwell et al., 2023), the health impacts of precarious work are worth emphasising. This kind of work is often the most easily accessible, but it can also further harm those already having poor health. In their economic analysis around the then Employment Rights Bill (ERB) and now Employment Rights Act (ERA) 2025, the UK Government (2024, 2026) recognised this problem and noted how: “millions of workers are stuck in low paid, insecure and poor-quality work. These jobs can often be detrimental to their financial stability, as well as their health”. Breaking the vicious circle of poor health and precarious employment is a huge policy challenge, with youth inactivity a particular policy priority for the Government at present (DWP, 2025).

Increasingly, studies also recognise that the impacts of precarious work and precarity extend beyond health-related harms to the wider societal realm. Bone (2021: 1040), for instance, has argued that precarity and precarious work are associated with: “the current growing, and widely observed, tide of angst, anger and irrational conduct being played out both privately and publicly, from personal mental health issues, rising crime and social problems, as well as an increasingly febrile and divisive politics”. The rationale, then, for agendas seeking to create ‘decent work’ for all, extends beyond health costs and consequences.

It must be noted that precarious work does not mean the same thing to all people, nor are its impacts always the same. As Campbell and Price (2016: 316) note: “workers are engaged in precarious work, but the experience and the potential impact are likely to differ in complex but socially patterned ways”. A student or migrant worker, for example, may well view precarious work in the UK quite

¹⁷ Section 27BZ2 of the Employment Rights Act 2025 now provides a statutory definition of zero hours contracts and zero-hours arrangements.

differently to a middle-aged UK-born worker, seeing it as a ‘liminal’ (i.e. transitional, or in-between) stage in their career path rather than an end point (Campbell and Price, 2016; Scott et al., 2022).

In a similar vein, Herman et al. (2026) argue that a combination of employment, household as well as welfare and care system ‘buffers’ and ‘constraints’ mediate between precarious work and precarious lives. Through this, they show that it is not just precarious work in isolation that leads to precarious lives, but that it particularly intersects with household and welfare/care domains. Likewise, Scott and Rye (2025) focus on migrants in precarious work and identify various ‘insulators’ that protect migrants from the full impact of their precarity. In short, studies show that when exploring the impact of precarious work, one must look both at the characteristics of the worker concerned and the wider contexts within which workers are embedded.

This brings us onto a related question: whether precarious work is a dead-end ‘trap’ or whether it functions as a temporary ‘stepping-stone’ towards workers’ upward mobility? The answer is that it can be both, depending on the workers concerned, the type of precarious work being carried out, the occupational structure, and the antecedent macro-economic conditions (e.g. Filomena and Picchio, 2022; Mouw et al., 2024). Trajectories into, within, and out of precarious work are complex, something longitudinal studies can illuminate (Pósch et al., 2024, see also Chapter 1).

Thus, whilst precarious work is generally used in a pejorative sense, it is not always problematic. It may be part of a longer-term career mobility strategy for workers (the stepping-stone thesis), and/ or it may simply be engaged with on generally positive terms. In terms of the former, migrants appear particularly likely to use precarious work as an initial stepping-stone into the host country labour market (Lam and Triandafyllidou, 2021; Scott et al., 2022). In terms of the latter, Standing (2011: 59) talks of ‘groaners’ and ‘grinners’ amongst the precariat, to show how some workers may be satisfied with precarious jobs whilst others may be dissatisfied.

In the UK, the Work Foundation (Florisson, 2022: 5) has found that:

“insecure work does not always mean that workers have a poor experience. Some workers on zero-hour contracts may value the flexibility that accompanies such contracts and accept insecurity in order to access work. Others may work full-time hours and feel quite secure in their role”.

Young people in the UK appear particularly likely, for example, to view precarious work as a stage or stepping-stone in their career (CSJ, 2024). Some older people in the UK also appear to approach precarious work more positively, especially when it is simply a top-up to a pension (Lain et al., 2019).

Thus, we should distinguish between precarious work as an objective fact versus precarious work as a construct involving a variety of subjective lived experiences. Some workers will be more insulated from the negative impacts of precarious work and precarity than others, with precarious work not being inevitably problematic for them. We can measure and identify it, but this does not mean that all those encompassed by our definition of a ‘precarious worker’ view their position in the same way (see Chapter 9). Similarly, not all those in secure permanent employment will see their position as positive, and with recent trends around the decline in real-wages, intensifying workloads, rising insecurity, increasing fears of restructuring, and reducing trade union power, there is considerable precarity outside of precarious work (see, for example, the results from the 2011 Workplace Employment Relations Study: van Wanrooy et al., 2013). We will reflect more on this at the end of the chapter, in our discussion around social harm.

The UK Labour Market in Context

When analysing the UK labour market, it is important to keep in mind the dominant political economy structuring it. The UK labour market has been commended by many for its flexibility and strong performance over the years, though there have been concerns in relation to a ‘one-sided flexibility’ (Taylor, 2017). Questions have also been raised around specific and well established labour market indicators/trends, such as: low and declining union density and collective bargaining coverage; a relatively high level of work insecurity; limited resources directed to labour market enforcement; a focus on individuals enforcing their rights at work; relatively limited rights for workers (e.g. around parental leave, sick leave, dismissal, etc.); uneven rights according to whether one is an employee, limb (b) worker, or self-employed (see Bogg et al., 2024); emphasis on the extreme, criminalised end of labour market exploitation (i.e. human trafficking/modern slavery offences far more than other less extreme forms (see Cockbain et al., 2019; Scott, 2017); decline in real-wages for many at the middle and lower end of the labour market; and, significant in-work poverty despite the introduction of a minimum/living wage (which in-work benefits have sought to tackle). This all points towards a ‘market’ employment regime in the UK, closer to the US, Canada and Australia than to most European countries (Gaille, 2007; Kalleberg, 2018; López-Andreu, 2019; Williams and Erickson, 2024).

Allied to this structural context, and to what has been conceptualised as ‘state-mediated structural injustice’, referring to the role of legal rules in compounding disadvantage in the UK labour market (Mantouvalou, 2023), the UK labour market has experienced specific events and shocks. Alongside the normal business cycle, key events like Brexit, Covid-19, and the Cost-of-Living crisis have all impacted the UK labour market of late, affecting work experiences over time (see Pósch et al., 2024).

Against this backdrop, specific concerns have been raised over the scale of unemployment and inactivity in the UK labour market of late (e.g. Mayfield, 2025). Powell and Francis-Devine (2026) indicate the picture is a mixed one with unemployment growing, vacancies falling, yet economic inactivity remaining close to the G7 average, and the employment rate remaining stable at 75% since 2021.

One area of particular concern is the rise in economic inactivity due to long-term sickness (Powell and Francis-Devine, 2026). The ‘Keep Britain Working’ (KBW) Review, for example, states that: “the UK has been sliding into an economic inactivity crisis driven in large part by ill-health and by barriers to work faced by disabled people” (Mayfield, 2025). Related to this, Mental Health UK (2026) has argued that one of the biggest challenges in the UK is now the increasing number of people exiting the labour market due to poor mental health. Their research – involving 4,502 adults, 2,591 of whom were workers – found that 91% of UK adults report high pressure and stress, with 1 in 5 taking time off work in the preceding year due to poor mental health resulting from this pressure and stress.

Especially significant here is the number of young people aged 16-24 (Buchanan, 2023) and older workers aged 50-64 (Rankl, 2023) who have left the UK labour market. Youth worklessness has been specifically explored by the Resolution Foundation (Murphy, 2023). Their report ‘Left Behind’ found that low levels of skills were particularly linked to youth inactivity due to ill-health (around 80% of young people who were inactive due to ill-health had qualifications at GCSE-level or below). Mental Health UK (2026) also found that young people are particularly affected by pressure and stress, and that this leads to them taking time off work and even exiting the workforce. In November 2025 the UK Government announced a review into rising youth inactivity in the UK (DWP, 2025), with 739,000 (16.1%) of young people (16-24) currently unemployed (Powell and Francis-Devine, 2026: 28-29).

Alongside, and related to this issue of long-term sickness, is the existing disability employment gap in the UK. In April to June 2025, the employment rate for disabled people was 52.8% and the rate for people who are not disabled was 29.5 percentage points higher at 82.3% (Powell and Francis-Devine, 2026: 32).

Getting young people with long-term health issues into work and closing the disability employment gap are major challenges, especially as we know that work is generally good for physical and mental health and well-being (Waddell and Burton, 2006). The virtuous circle between work and health, however, does depend upon the nature of said work. There is (as reported above) ample evidence to show that precarious work can create or exacerbate health harm. Whilst work may in general be good for one's health, that is not true of all work in all circumstances. Thus, solving the issue of economic activity amongst the young and disabled is likely to fail, and indeed may well cause additional harm, if the jobs on offer are simply the least desirable in the UK labour market.

The Social Dimensions of Precarious Work and Labour Market Non-Compliance

Previous research indicates that certain characteristics are associated with people being more or less likely to experience precarious work and/or labour market non-compliance and other work-based harms. Usually, it is not a single characteristic in isolation that leads to workers experiencing harm but a combination of factors. Intersectionality associated with multiple disadvantages is therefore key and is an increasingly important theoretical lens through which to view precarious work and breaches of workers' rights (see for example: Branch and Hanley, 2017; Carlén and de los Reyes, 2024; Meliou et al., 2024; Schur and Kruse, 2021). For instance, in the case of gig economy work, sex, ethnicity, age and migration status all seem to intersect (Pósch et al., 2024: 18). To isolate a single facet of workers' identity in relation to precarious and/or non-compliant work risks over-simplification. The following factors should therefore be viewed as necessary, but not on their own sufficient, in seeking to understand why workers may be more or less exposed to precarious work and breaches of their rights in the UK labour market.

Socio-Economic Status and Class

Precarious work – by virtue of the low-income element integral to its general definition – is class orientated. Whilst some have argued that those in precarious work (or as Standing puts it, the 'precariat') constitute a distinctive new and separate class (Savage et al., 2023; Standing, 2011), there is no consensus around the link between income, work and class position. Income and class clearly overlap, but it is important to recognise that they are not the same: put simply, class is more complex and multi-dimensional than income and covers a range of socio-economic factors (of which income is one) and, potentially, cultural capital as well (Savage, 2016).

Notwithstanding the debates over precarious work and class, we want to simply point to the deterioration in working conditions for those lower down the socio-economic spectrum in the UK. The Resolution Foundation (Shah and Tomlinson, 2021), for example, notes that:

“the lowest earners have lost their ‘satisfaction premium’ over time: job satisfaction for this group has fallen from over 70 per cent in the early 1990s (far higher than for those with higher earnings at this point) to 56 per cent in 2017-2019, despite the introduction of the National Minimum Wage during this period raising their relative earnings...the subjective experience of work for low earners has deteriorated at a faster rate than for those who earn more ”

Crucially, precarious workers are more likely to belong to the lower and working classes, as we found in our earlier report (Pósch et al., 2024: 34-36), whereby with educational attainment was a key element in this stratification.

Gender

Research by Leah Vosko (Vosko, 2000, 2010) around the standard employment relationship (SER) and the ‘gender contract’, highlighted how the emergence of precarious work (at the expense of the ‘male-breadwinner’ SER) is heavily gendered. Bazzoli and Probst (2023) reviewed qualitative research in this area and found that whilst “women were more concerned with, and exposed to, deteriorating working conditions, men experience job insecurity as more of a threat to their identity”.

In the UK, the TUC (2023) found that whilst men are more likely to be in insecure work than women, the proportion of women in insecure work is increasing faster than it is for men. Moreover, research by the Work Foundation (Florisson, 2022) found that the severity of insecure work is often worse for women, and that women are more likely than men to experience multiple forms of insecure work. Our own research (Pósch et al., 2024) reveals that those in precarious work are more likely to be women: with around 55% of precarious workers in the UK being women in 2021-22.

Building on these insights the Young Women’s Trust (2025) focused on the combination of age and gender and found that, in the UK, young women are more likely to be working in insecure roles in low paid sectors than young men. Specifically, insecure contracts in hospitality, health and social care and education stood out for young women, which represent some of the lowest paying sectors in the UK (Young Women’s Trust, 2025: 7). The impact of low-paid precarious work for young women is clear: it has a detrimental impact on mental health, with 4 in 10 (40%) young women reporting a deterioration in their mental health whilst working in insecure work, compared with 16% who said it had got better. This compares to 3 in 10 (31%) young men who said that their mental health had got worse whilst working in insecure work (Young Women’s Trust, 2025: 25). Once again, we see the link between precarious work and poor health emerging.

Age

As we showed in our interim report (Pósch et al., 2024: 29) the link between age and precarious work is complex: over time, for instance, some groups tend to find more secure employment, others become increasingly precarious, whilst some move into and out of precarious work. On average in the UK, however, precarious workers are five years younger than non-precarious workers (Pósch et al., 2024), mirroring international insights into the link between age and precarious work (Kalleberg, 2020). As the above evidence suggests (Young Women’s Trust, 2025), this can mean that those quite new to the labour market may experience declining mental health. In fact, a review of numerous existing studies in this area concluded that: “young people are especially vulnerable to health problems when unemployed or working in precarious conditions” (Vancea and Utzet 2017: 73). Mental health problems appear particularly concerning.

The picture is complicated, however. Whilst there is evidence of young people facing substantial issues in the labour market such as wage theft via unpaid (extra) labour (Kallos, 2025), young people can sometimes be insulated from the negative effects of precarious work due to their life-stage, household circumstances, and educational and career trajectories (see Campbell and Price, 2016). Along similar lines, Trappmann et al. (2023) uncover various ‘legitimising frames’ young people adopt in response to precarious work, namely seeing precarious work “as a driver of entrepreneurialism; as

inevitable due to repeated exposure; as a stage within the life course; and as the price paid for the pursuit of autonomy and meaningful work”.

Navani and Florisson’s (2024) UK research finds that opportunities to change occupations or sectors narrow with age: with older workers (45-54) twice as likely as younger workers (16-24) to remain stuck in insecure work. Additionally, they find that the probability of falling into worklessness amongst insecure workers also increases considerably with age. The idea that young people in the UK may experience precarious work differently to older people is advanced by the CSJ (2024) report, which argues that such work functions as a ‘rite of passage’ to adulthood, offering vital experience and acting as a stepping-stone for career advancement. The report also argues that the majority (75%) of young people in precarious work in the UK are satisfied with their working conditions.

Our own research (Pósch et al., 2024: 37-42) identified how trajectories into, within and out of precarious work change over time (using longitudinal data from the Understanding Society Survey). We found two particularly noteworthy groups as far as age is concerned: 1) the ‘early career’ group who were the youngest group and were largely able to successfully leave behind their precarity; 2) the ‘increasingly precarious’ group, who were middle-aged and got into a progressively more precarious position over time. These two contrasting groups demonstrate how age may make a difference to whether one is able to leave behind precarious work and whether it functions as a ‘stepping stone’ or ‘trap’.

Elsewhere, recent UK research shows post-retirement working is on the rise: 9.5% of people aged 66 and older (1.12 million people) were in work, according to the UK’s Annual Population Survey (July 2023 to June 2024) up from 8.7% (880,000 people) in July 2013 to June 2014 (Maruyama and Charles, 2024). This research also identifies how such post-retirement work emerges out of both choice and constraint, with female, non-married, and non-white workers all more likely to be forced into post-retirement work. Guy Standing (2011) points to changing circumstances (erosion of pensions, rising costs of living) necessitating increasing labour market participation amongst older workers. For others, like Cridland (2016), rising labour market participation amongst the retired can also be a way for older workers to exert choice and control over their lives. Key to determining the impact of precarious work on older people is the distinction and balance between the need versus the choice to work.

Ethnicity, race and migrant status

There is a well-established body of literature demonstrating the segmented nature of labour markets in the Global North, and the fact that it is often migrant and/or so-called minority workers who fill secondary (i.e. precarious) forms of employment (Piore, 1979). Arguably the most disadvantaged and vulnerable groups in this respect are migrants on specific visa regimes, and those migrants who are irregular and classed by the State as ‘illegal workers’ (Costello and Freedland, 2014; Ryan and Zahn, 2021). However, the link between migration and precarious work is complex. Moving to a new country to work, even if this work is precarious, represents a form of agency (McIlwaine and Bunge, 2019), and migrants often approach and experience precarious work differently to non-migrants (Scott and Rye, 2025). This goes back to the point made earlier around the distinction between the objective fact of precarious work versus the subjective lived experiences of such work. We will return to this topic in Chapter 9.

In the UK, according to the Understanding Society data, around one in six foreign-born workers is both in precarious work and is either low-paid or lives in households with below-average income (Slaughter and Stone, 2025). Some groups are particularly affected by low-wage precarious work, with migration and ethnic status combining. For example, more than a quarter (26%) of foreign-born workers from the Pakistani ethnic group, and more than a fifth (22%) of those from the Bangladeshi ethnic group, are in precarious work, compared to just 12% of White foreign-born workers. Overall, UK-born White British workers make up only around 67% to 75% of precarious workers, but 86% to 89% of non-precarious workers (Pósch et al., 2024: 31-33).

Looking at race and ethnicity, there is clear evidence around the labour market disadvantages faced by non-white groups (Bernhardt, 2015). In terms of UK data, we see that minority ethnic workers are more likely to be in insecure work than white workers (LWF, 2023: 18). Similarly, work by the TUC (2023) finds that over the last decade, the proportion of BME (Black and Minority Ethnic) workers in insecure employment has risen from 12.2% to 17.8%. There is a clear ‘insecurity gap’ between white and non-white workers, and it is widest for men (Florisson, 2022). However, ethnic minority women are the most likely to be in severely insecure work among all worker groups (Florisson, 2022). In addition, age and migration/ethnic status also appear to be related (Pósch et al., 2024: 41). This once again illustrates the importance of using an intersectional lens.

Disability

Drawing on CPS Contingent Worker data from the US (2017), and the (albeit limited) existing literature, Schur and Kruse (2021) provide a review on the relationship between disability and precarious work. They acknowledge that, overall, people with disabilities have lower employment levels around the world, and constitute a ‘last hired, first fired’ group (Schur and Kruse, 2021). Moreover, disabled people are over-represented in precarious work: in the US one-fifth (21.5%) of workers with disabilities are in precarious jobs, compared to one-seventh (14.3%) of workers without disabilities (Schur and Kruse, 2021).

In the UK, the Insecure Work Index (Florisson, 2024) similarly points to disabled workers being particularly, and indeed increasingly, exposed to severely insecure work, as compared to non-disabled workers (at 27.8% versus 20.1% of the respective workforces). Florisson notes that the number of disabled people in the UK is growing, as too is the proportion entering employment, but that these factors alone do not account for the record high numbers of disabled workers in severely insecure work:

“Given these trends, we can expect the number of insecure disabled workers to increase as well. However, it appears there has been disproportionate growth in insecure employment compared with secure employment over the past year. Nearly half (47%) of the additional 325,000 disabled people in employment are in severely insecure work. In comparison, 30% of the rise in employment was due to secure work.” (Florisson, 2024)

The higher presence of precarious work amongst those with disabilities reflects several factors according to Schur and Kruse (2021). First, precarious work often leads to health-related harms, especially around declining mental health and well-being. Second, workers with disabilities do sometimes choose precarious jobs because they need the flexibility. Third, employer discrimination and prejudice can mean those with disabilities have little choice and are confined to precarious work. In a similar vein, Florisson (2024) emphasises structural barriers and that often “secure roles do not have the flexibility that people with disabilities or health conditions need, which forces them to trade in security for flexibility”. Meanwhile, Schur and Kruse (2021) conclude that: “there is no simple

answer as to whether such (precarious) employment is generally good or bad for people with disabilities”.

One of the potential positive functions of precarious work for those with disabilities is to facilitate workforce (re)integration. However, one of the few studies on this topic (Edmonds et al., 2021) found that precarious work carried distinctive risks (especially around health and well-being) for those with disabilities, and that workers in nonstandard and precarious jobs held “low expectations for their sustained employment”. Essentially, for those with disabilities, the ‘stepping-stone’ role of precarious work is questionable.

In terms of further evidence from the UK, there are significant numbers of people affected by long-term health issues who are either not in employment or in employment but with a work-limiting condition (Atwell et al., 2023). Youth worklessness due to ill-health is a particular issue (Murphy, 2023). There is also a stark disability employment gap, as discussed already (Powell and Francis-Devine, 2025). All of the above points to a difficult relationship between disability and precarious work: there are people wanting to get back into the labour market, knowing that work can be beneficial (Waddell and Burton, 2006); but we also know that entry-level precarious work can be harmful, especially to mental health and well-being.

Economic Sector

Precarious work and labour market non-compliance tend to concentrate in certain sectors, and these sectors are often associated with certain worker profiles. Moreover, some sectors actually have very few routes from precarious to permanent employment (such as social care, retail and agriculture), with long-term insecurity the result for those remaining within them (Navani and Florisson, 2024). Often, therefore, changing jobs and changing sector is the only way to progress (Moore, 2022).

In the absence of representative data on labour market non-compliance, an industry-based approach to risk assessment has been common among those tasked with labour market enforcement (see also Chapter 8). For example, the former ODLME – “based primarily upon the collective view” of the three enforcement bodies in its remit – identified certain sectors as being at particular risk of labour market non-compliance (Beels, 2025; see also Beels, 2024). Moreover, these sectors, many of which are associated with precarious work, tend to be linked to particular groups of workers. The Resolution Foundation (Judge and Slaughter, 2023), for instance, finds that: “the reason why young, low-paid and/or ethnic minority workers experience higher rates of labour market abuse is more because they are clustered strongly in the types of jobs where violations are more commonplace”. Over recent years, a major focus of the academic literature in this respect has been on the gig/platform economy and particularly the concentration of vulnerable and low-paid migrant workers in this type of work (e.g. Katta et al. 2024; Lata, 2023).

Our own foundational research (Pósch et al., 2024: 36) using the Understanding Society Survey data for 2021-2022, highlights hospitality (15.3% of precarious versus 4.7% of non-precarious workers), retail (15.4% precarious versus 12.6% of non-precarious workers), and construction (7.1% of precarious versus 4.6% of non-precarious workers) as the sectors especially linked to people in precarious work (overall, 37.8% of precarious workers work in these industries compared to 21.9% among non-precarious workers). However, we also know that there are areas of the economy (such as gig work, car washes, seasonal agriculture) where measuring precarious work through formal surveys is much more difficult. Moreover, the questions of whether precarious workers, or indeed workers in certain industries, are increased risk of labour market non-compliance are among the key issues this research set out to examine.

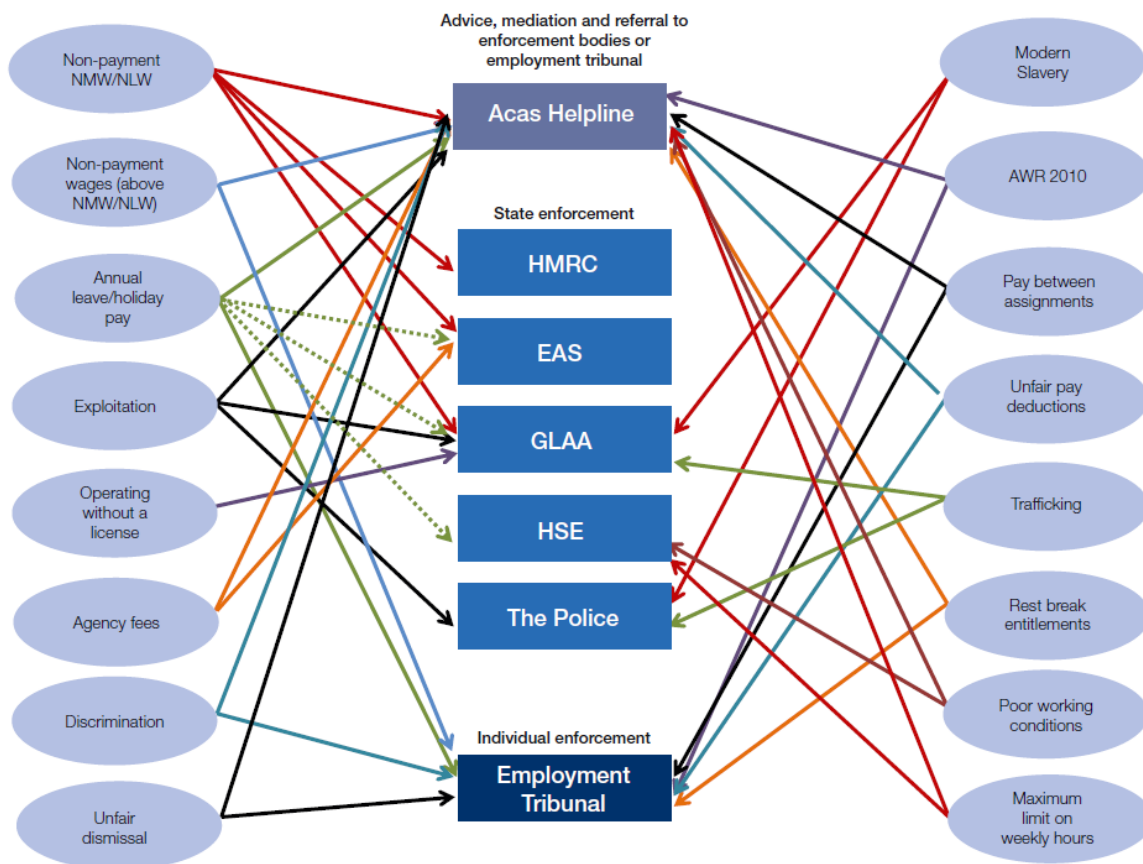
Workplace Size

Workplace size has been identified by some as one of the key indicators of precariousness and breaches of labour rights. Vosko (2025), for example, drawing on the Canadian Employer-Employee Dynamics Database (CEEDD), notes how: “evidence suggests that workers in firms of twenty employees or more are more likely to see their labour standards enforced than those employed by smaller firms”. In the UK, Cominetti and Judge’s (2019) data shows how workers in the smallest firms are more likely to experience National Minimum Wage violations. Similarly, they show how workers in small firms are more likely to have no paid holiday and less likely to receive a payslip (Cominetti and Judge 2019).

The UK’s Compliance and Enforcement Regime

For those experiencing labour market non-compliance in the UK, there are two main external pathways (beyond the route of trade union action) for enforcing employment rights (Taylor, 2017). An individual worker can use the Employment Tribunal system, or state enforcement bodies can act. In terms of the balance between the two, the Resolution Foundation (Judge and Slaughter, 2023) found that the: “current state enforcement system is poorly equipped to handle the level of labour market violations it must address, leaving workers to largely enforce their rights themselves”. This is an issue of both resourcing and remit. In terms of remit, certain rights simply are not enforced by the UK state labour inspectorates. The sheer complexity and ‘severely fragmented’ nature of the landscape around workers’ rights and their enforcement have long been noted by the ODLME (e.g. Metcalf, 2018), as illustrated in Figure 2.1 below. Of the organisations shown there, HMRC NMW, the former Employment Agency Standards (EAS) and former Gangmasters and Labour Abuse Authority (GLAA) fell within the ODLME’s remit (see also Chapter 1 for a discussion of how this has changed since the introduction of the Fair Work Agency).

Figure 2.1: Fragmentation of labour market enforcement system. Source: Metcalf (2018)



For individual enforcement via Employment Tribunals, the Chartered Institute of Personnel and Development (2020) have found:

“strong evidence that the vast majority of breaches of employment rights are never enforced via the individual route (with) many employers not being held accountable to their duty of care for the mental and physical wellbeing of their staff through the Employment Tribunal system.”

Even with a recent rise in Employment Tribunal cases, to there being around 491,000 open cases in 2025 (Ministry of Justice, 2025), analysis from Citizens’ Advice shows that it is higher-paid workers who are much more likely to file an Employment Tribunal case than lower-paid workers (CAB, 2024). In addition, even when a claim is successful, a significant number of workers can face considerable challenges recouping any money owed (BEIS, 2020). In fact, even with the UK establishing the Employment Tribunal Penalty Enforcement Scheme in 2016, to recoup Employment Tribunal awards from employers, three-quarters of people using the scheme have not been paid the compensation they were owed (Mellino and McKay, 2025).

The assumption that UK workers, most of whom are non-unionised, will enforce their rights has also been called into question by experts (e.g. Dickens, 2021; Pollert, 2005, 2007). There is also the related issue of employers in the UK using non-disclosure agreements to silence complainants and prevent formal complaints from ever reaching official channels (Barnes, 2023).

Given the limited use of Employment Tribunals by low-wage workers, and the declining power of trade unions, the role of labour inspectorates becomes particularly important both in terms of compliance (educating and raising awareness among employers to be compliant) and enforcement. The labour inspection regime in the UK has, however, been characterised as having a ‘light-touch’ (Clark, 2025). The ILO, for example, recommends a minimum of 1 labour inspector per 10,000 workers for advanced economies. This has not been reached in the UK, where we have 0.29 inspectors per 10,000 workers; this leaves the UK ranking 27th out of 33 comparable OECD countries (Judge and Slaughter, 2023). In fact, the Resolution Foundation (Judge and Slaughter, 2023) figures show that the total enforcement spend per employed person in the UK has flatlined since 2014, and that today just £10.50 is spent per worker per annum on enforcement. The TUC (2021) has also cited evidence showing that the average employer can expect an inspection from the UK authorities on whether they are paying the National Minimum/ Living Wage about once every 500 years.

In our interim project report, we catalogued the wide and complex legal landscape governing labour relations (Posch et.al, 2024). Identifying and addressing non-compliance with employment rights can be a very complicated matter. The complexities of a fragmented legal landscape, combined with the uncertainty whether rights have been breached or not, can be very difficult for individual workers to navigate accurately and confidently. There is a striking disparity between the areas of employment law that fall within the remit of state enforcement, and the areas that fall outside its remit (Posch et.al, 2024). State enforcement has a very narrow remit, resulting in an overreliance on individual workers enforcing their rights through Employment Tribunal litigation. Not all employment rights are always best suited to enforcement by individuals bringing legal claims. This may be because of the complexity of the legal right in question, and of the difficulty precarious workers may have in accessing legal advice and the necessary evidence to sustain a legal claim. Employment Tribunal litigation also takes a long time and therefore lacks the immediacy that may be required to practically enjoy and exercise some legal rights, particularly where the right has a low monetary value but is nonetheless important for workers (such as emergency leave entitlements and the right to request flexible working). The narrow scope of state enforcement compounds the limited use of the Employment Tribunal, creating gaps in enforcement. The ERA 2025 brings the enforcement of holiday pay within the remit of the FWA from April 2027¹⁸. It also contains a prospective power in section 116 for the FWA to initiate Employment Tribunal proceedings on behalf of a worker.

To complicate matters, the UK labour market enforcement regime overlaps with immigration enforcement, and this can deter workers from complaining (TUC, 2021). In the UK and internationally, there is substantial evidence showing how insecure migration status is an additional and substantial barrier to seeking justice, and that exploitative bosses can use precarious and irregular migration status to threaten and control workers, and to otherwise compel them to tolerate sub-standard working conditions (see, e.g., (Bernhardt et al., 2009; Crépeau & Hastie, 2015; Farbenblum & Berg, 2021; FLEX & LAWRS, 2022; Fudge, 2018; Hodgkinson et al., 2021; Labour Exploitation Advisory Group, 2020; LAWRS et al., 2025; Palumbo, 2024; Vosko, 2020, 2025; Weil, 2010; Wilkinson, 2012).

Mustchin and Martínez Lucio (2020) provide a recent analysis of the regressive impacts (as far as workers are concerned) of both austerity and immigration control on UK labour enforcement. Moreover, even migrants with full rights to reside and work in the UK appear reluctant to bring Employment Tribunal claims (Barnard and Ludlow, 2016; Barnard et al., 2018). Tensions also arise when the same organisation is responsible for both immigration enforcement and worker welfare, as

¹⁸ Enforcement of Statutory Sick Pay is also expected to move into the FWA’s remit, but currently sits with HMRC’s Statutory Payment Dispute Team, as does maternity and paternity pay.

highlighted by the recent Seasonal Worker Visa report in England and Wales (Independent Chief Inspector of Borders and Immigration, 2022; MAC, 2024).

To address issues of enforcement in the UK, especially around its complexity and fragmentation (see Figure 2.1), there had been numerous and longstanding calls over recent years for a single enforcement body (CIPD, 2020; FLEX, 2023; Beels, 2023; IASC, 2022; Taylor, 2021). The establishment of the FWA was a response to these concerns and a key part of the Labour Party's (2024) 'Make Work Pay' manifesto commitments (see also Chapter 1 for more details on the context). There have also long been calls for more resourcing of UK labour market enforcement. FLEX (2021: 2), for example, has identified: "a serious and widening enforcement gap" in the UK labour market and notes: "the erosion of labour market enforcement capacity over the last decade...across all the UK regulatory bodies tasked with employee protections" (see also Judge and Slaughter, 2023).

Whether through state compliance and enforcement action or Employment Tribunals, there is often a reliance on workers coming forward with complaints (Pósch et al., 2024). Although proactive enforcement has become more common in the UK than it was previously, a lack of robust data on actual prevalence of various breaches has long been identified as a major barrier to targeting enforcement as effectively as possible (see, e.g. Beels, 2026; Cockbain et al., 2019; Metcalf, 2018; Pósch et al., 2024). However, most workers who experience non-compliance do not make official complaints (Noack et al., 2015; Stansbury, 2025; Weil and Pyles, 2005). In the US, it is estimated that there is one complaint for every 130 violations (Weil and Pyles, 2005). In the UK, Stansbury (2025) estimates (using Acas and Low Pay Commission data) that, at most, there is a 1% to 3% probability that a worker who is being underpaid will contact Acas. Migrants also appear particularly unlikely to complain if experiencing non-compliance (Campbell et al., 2019). Going forward, therefore, it is not only an enforcement gap that we need to be aware of (linked to the limited resources and remit of UK labour inspectorates) but a reporting gap (linked to workers' limited knowledge and awareness of their rights and/or to their reluctance and fear to report labour market non-compliance).

One way the reporting gap might be narrowed is through collectivism, and workers feeling they are not alone when experiencing labour market non-compliance. The Institute of Employment Rights (2022), for example, has argued that trade union membership and collective bargaining are key to halting the erosion and decline of working conditions in the UK (see also Ewing, 2005). However, precarious workers are half as likely as non-precarious workers to work in a unionised workplace (Pósch et al., 2024), and the trade union density rate in the UK continues to fall, with just 22% of UK employees being union members in 2024, which is the lowest trade union membership rate on record (i.e. since 1995) (DBT, 2025a). Some evidence suggests, however, that even amongst precarious workers (where trade union membership is normally very low), there is an appetite for greater collectivism and trade union representation (Martindale et al., 2024). Linked to this, studies document the supporting role trade unions play, especially for marginalised groups (e.g. Schur and Kruse, 2021), and more research is clearly needed around the role of trade unions in preventing and helping to address the consequences of labour market non-compliance and other work-based harms (see Chapter 11 on trade unions and staff associations). Not least, there are alternative ways of trade unions working – through community unionism, for example – that appear to be of use when work is precarious and trade union membership difficult (Wright, 2013). More broadly, there is recognition that government enforcement needs to be accompanied by a social partnerships model with a range of groups outside of government (not just trade unions), drawn in to help shape compliance and enforcement activity (Beels, 2025; Fine, 2017; LPC, 2025).

Key insights from the existing literature on breaches of workers' rights

Until recently, we knew relatively little about the bigger picture around labour market non-compliance and other breaches of workers' rights in the UK. Questions like who it most likely impacts; how the different types of non-compliance combine and overlap; the harm that may result; and the extent to which justice is sought and achieved by workers, are therefore quite difficult to answer using the existing literature. The best sources of information on the scale of breaches of workers' rights and/or precarious work usually come from representative surveys, with examples from Canada (Noack and Vosko, 2011; Noack et al., 2015) and the US (Bernhardt et al., 2009) standing out (see Table 2.1). In addition, analysis of legal case material can also be extremely useful (Boucher, 2022).

In the UK, the Resolution Foundation's recent work is noteworthy (Judge and Slaughter, 2023). They brought together existing quantitative survey data but also carried out primary survey research with 2,011 private-sector employees (so not representative of the overall labour force) They found that various breaches of labour rights often concentrated on certain groups of workers (young, old, migrants, minorities) and certain types of work and workplaces (smaller workplaces, those on zero-hours contracts). Their work also stressed the importance of using an intersectional lens in understanding how risks are distributed (see also Cominetti and Judge, 2019). Although this survey looked at similar themes to ours, its scope was narrower both from a sectorial (private sector only) and temporal (experiences restricted to the last 12 months) point of view. However, their scope also went beyond our survey in some ways, most notably directly addressing certain aspects of access to justice (see Table 2.1).

Table 2.1: Worker surveys focused on breaches of workers' rights and/or precarious work over the last two decades (2007-2026)

Authors	Title	Approach	Sampling Method	Geographic Scope	Details	Participants	Issues Addressed
Bernhardt et al. (2009)	Broken laws, unprotected workers	Cross-sectional face-to-face survey	Respondent driven sampling	New York, Chicago, LA (USA)	Survey of frontline workers in low-wage industries in each city	4,387	Violations of labour market laws
Noack and Vosko (2011)	Precarious jobs in Ontario: Mapping dimensions of labour market insecurity by workers' social location and context	Analysis of secondary data from a longitudinal survey using computer-assisted telephone interviewing	Random general population survey	Ontario (Canada)	Analysis of relevant data from Statistics Canada's Survey of Labour and Income Dynamics over the period 1999-2009	Two panels, each of roughly 30,000 adults in 15,000 households	Prevalence of precarious jobs in Ontario and characteristics of those working in such jobs

Authors	Title	Approach	Sampling Method	Geographic Scope	Details	Participants	Issues Addressed
Noack et al. (2015)	Measuring employment standards violations, evasions and erosion	Cross-sectional telephone survey	Random digit dialling	Ontario (Canada)	Two pilot surveys administered as part of a broader project on employment standards. Screener questions to get to non-unionised low-wage workers (<\$16 per hour)	20 (first pilot), 229 (second pilot)	Prevalence of employment standards violations and patterns of their evasion and erosion among low-wage workers
Judge and Slaughter (2023)	Enforce for good: Effectively enforcing labour market rights in the 2020s and beyond	Cross-sectional online survey	Quota sample	UK	YouGov survey of private sector employees	2,011 private-sector employees	Non-compliance with labour laws, and access to justice

In terms of broad areas of breaches of workers' rights, we identified seven main areas of focus via a review of the existing literature. These are not always mutually exclusive (e.g. health and safety violations can also be criminal violations). They also overlap with but go well beyond labour market non-compliance as defined for this study's purposes (see Chapter 1). They are: 1) criminal infringements; 2) financial violations; 3) health and safety violations; 4) denial of leave and break entitlements; 5) discrimination; 6) dismissal and redundancy violations; and 7) documentation violations.

This typology draws on, and develops, that of Metcalf (2018: 19) and Boucher (2022), and we focus on these categories here as this is where prior research and evidence has tended to concentrate. It is worth stressing here that only certain types (and even then only under certain conditions) fell within the former ODLME's remit, namely 1) criminal infringements (when concerning modern slavery in some but not all areas of the labour market), 2) financial violations (in particular NMW-related, with limited coverage beyond that, e.g. illegal work-finding fees charged of agency workers), and 7) documentation categories (but only when pertaining to NMW regulations on record keeping, or key information documents for agency workers). In addition, the FWA's expanded remit from April 2027 will have some coverage within the category 4) denial of leave and breaks (due to the planned extension to holiday pay enforcement). For more on the main issues in focus in this project and the relevant legislative context, please see Chapters 4,-8 and 11).

It is crucial to stress here is that employment laws are devolved in Northern Ireland and across the UK they do not apply equally to all workers¹⁹. There is a key distinction between rights available depending on employment status as: (1) an employee; (2) a ‘limb (b)’ worker and; (3) a self-employed contractor (see, e.g., Metcalf, 2017; Pósch et al., 2024; Taylor, 2017). Employees have access to the full panoply of rights, and the self-employed the least rights (employment rights do not apply, although health and safety protections do and anti-discrimination protections may do) (see Table 2.2). However, the lines can blur and status, where contested, is ultimately a matter for the courts to decide on a case-by-case basis (see also Chapter 7). In our scoping of the legal landscape for the interim project report, we spelled out the distinctions as follows:

“An employee is a person who works under a contract of employment (sometimes referred to as a contract of service) or apprenticeship. There is a large body of case law developing the relevant tests of control, subordination, mutuality of obligation, inconsistent terms, and economic risk that is outside the scope of this work.

A ‘limb (b)’ worker is defined in section 230(3)(b) of the Employment Rights Act 1996 (ERA) - and article 3(3)(b) of the Employment Rights (Northern Ireland) Order 1996 (ERO) – as any individual who undertakes to do or personally perform any work or services for another party to the contract whose status is not by virtue of the contract that of a client or customer of any profession or business undertaking carried on by the individual. Limb (b) workers are commonly found in the gig economy e.g. Uber drivers.

Self-employed contractors work under contract for services and fall outside the scope of ‘employee’ and “‘limb (b)’ workers.’ A broad ‘right of substitution’ (i.e. being allowed to send someone in your place to do the work) can mean someone is classed as a self-employed contractor, as has occurred with Deliveroo riders.

The line between the three categories is not always clear. It is open to manipulation and can be highly contested, especially in the gig economy.” (Pósch et al., 2024).

It is also worth noting that agency workers can fall into any of these three categories of employment status (depending on their particular situation) and there are also some additional rights and regulations that apply just for agency workers (see Chapter 7 and Pósch et al., 2024).

The ERA 2025 broadens the scope of pre-existing rights by adjusting or removing qualifying periods of employment. It also introduces significant new rights that apply to employees and ‘limb (b)’ workers alike, such as the forthcoming right to guaranteed hours. Notwithstanding changes related to the ERA 2025, many rights at work are still subject to qualifying periods, leaving workers unprotected during that time.

¹⁹ The term ‘worker’ is sometimes used as an umbrella term when discussing employment status to cover both employees and ‘limb (b)’ workers. However, in this report we use the term ‘worker’ more inclusively to simply refer to anyone who works (e.g. the category ‘precarious workers’ includes the self-employed among them, unless explicitly specified otherwise for a particular part of the analysis).

Finally, there are workers who fall largely outside of labour rights frameworks: for instance, irregular migrants who are deemed by the State to be ‘illegal workers’ are excluded from many legal protections in the UK (Beadsworth 2025; Pósch et al., 2024).

The former ODLME and the three labour market enforcement agencies it oversaw, and now the FWA, are by no means the only regulators with a remit around rights violations within the labour market (see Chapter 8). Here, it is particularly worth stressing that compliance with health and safety legislation and with equalities legislation fall respectively within the enforcement remits of the Health and Safety Executive/Health and Safety Executive for Northern Ireland, and Equality and Human Rights Commission/Equality Commission for NI.

Table 2.2: The UK's three main employment statuses, adapted and updated from Metcalf (2017)

Employee	'Limb (b)' worker	Self-employed
<p>Established as an employee where it can be deemed that a contract of employment exists. All employees are workers and have all the rights listed in the next column too, but an employee has extra employment rights and responsibilities that do not apply to workers who are not employees. These additional rights and responsibilities include:</p> <ul style="list-style-type: none"> • Statutory Sick Pay (SSP) • Statutory maternity, paternity and adoption leave • Full TUPE rights (transfer of employment rights following business takeovers) • Protection against unfair dismissal <ul style="list-style-type: none"> • Notice to termination of employment • Redundancy payment • The right to request flexible working 	<p>Established as a 'limb (b)' worker where a contract of employment or contract to personally do work exists. Rights include:</p> <ul style="list-style-type: none"> • NMW/NLW • Written particulars (contracts) • Itemised pay statements (payslips) • Protection from unlawful deductions • Paid annual leave and rest breaks • Protection against wrongful dismissal • Whistleblowing protections • The right not to work more than 48 hours/week on average or to opt out • The right not to be treated less favourably if they work part-time • Health and safety protection • Protection against unlawful discrimination <p>May also be entitled to:</p> <ul style="list-style-type: none"> • Statutory Sick, Maternity, Paternity and Adoption Pay • Shared Parental Pay <p>Not usually entitled to:</p> <ul style="list-style-type: none"> • Minimum notice periods • Protection against unfair dismissal • The right to request flexible working • Time off for emergencies • Statutory Redundancy Pay 	<p>Established as self-employed where neither a contract of employment nor a contract to do work personally exists. No specific employment rights attached to this status but the following still apply:</p> <ul style="list-style-type: none"> • Health and safety protection <p>The following may apply:</p> <ul style="list-style-type: none"> • Protection against unlawful discrimination

Criminal Infringements

In the UK, there is a distinction between civil and criminal offences relating to the labour market. Civil offences lead to compensation being awarded to the wronged individual (the worker) whilst criminal offences lead to the offender being punished. The usual route in the UK is the civil one, as we have emphasised in prior scoping of the landscape of relevant laws and their enforcement:

“relatively few criminal offences are used to tackle non-compliance in the labour market and most employment rights are not backed by criminal sanctions for serious, widespread, repeated and deliberate breaches.” (Pósch et al., 2024)

The main criminal infringements relevant to the then ODLME’s remit (and now that of the FWA) related to (1) modern slavery offences involving ‘labour exploitation’²⁰ (a remit shared with policing, rather unique to the then GLAA); (2) criminal sanctions around NMW violations; and (3) criminal offences under the Employment Agencies Act 1973. Other laws applicable to the workplace could and still can also result in criminal sanctions, for example certain aspects of health and safety legislation or criminal laws against sexual and physical violence (Pósch et al., 2024). All three of the enforcement bodies within the then ODLME’s remit had the powers to use criminal prosecutions, HMRC used these powers the most and EAS did so very rarely (Pósch et al., 2024). As explained in Chapter 1, HMRC NMW will continue to enforce on the FWA’s behalf through its transitional year 2026-27.

The number of criminal prosecutions initiated by HMRC NMW and the former GLAA were also limited, and successful ones all the more so, further underlining that criminal sanctions remain very much in the minority here. Between 2007/08 and 2023/24, HMRC successfully prosecuted 32 employers for underpaying the minimum wage (DBT, 2025b). Between 2008/09 and 2023/24, the former GLAA had a total of 193 convictions (GLAA, 2025). It is also worth bearing in mind staffing numbers and capacity here: according to the final DLME in post, the latest staffing figures showed that HMRC NMW had around 450 employees, GLAA over 100, and EAS just 30 (Beels, 2025). Yet, these teams were together expected to respond to breaches in a labour market of 34.3 million people aged 16+ in employment (Powell and Francis-Devine, 2026).

The current study explicitly does not focus on the extreme end labour market exploitation involving modern slavery offences, primarily because that would not be feasible with a general population survey such as ours (see Chapter 1). For that reason, we do not review the literature on the extreme end of labour market exploitation in great detail here). However, it is worth making six observations of particular relevance to labour market enforcement in this space as it applied to the then ODLME, and now FWA. First, there are very limited insights into the boundaries and movements (of workers and employers) between the criminal extreme of modern slavery offences and less extreme forms of labour market non-compliance (Labour Exploitation Advisory Group, 2024). Second, concerns have been raised around the degree to which an overwhelming focus on the extreme end of the spectrum of exploitation impacts the attention and resource directed to practices at the middle and lower ends, and in the process constructs the problem of breaches of rights in the labour market in certain limiting ways (Labour Exploitation Advisory Group, 2024; Mantouvalou, 2018; Scott, 2017, 2019). Third, the policing of modern slavery offences in the UK overlaps with strong contemporary immigration control that can have very detrimental impacts on migrant workers’ engagement with the authorities (Waite et al., 2025). Fourth, estimates of the scale and nature of modern slavery offences in the UK vary quite

²⁰ In the UK, the main ‘types’ of human trafficking/modern slavery offences recognised by the State are sexual exploitation, domestic servitude, criminal exploitation and (other) labour exploitation. In this context, the term ‘labour exploitation’ applies to a broad range of industries and contexts, but certainly not to all labour markets (see, e.g., Cockbain et al., 2025a).

considerably and reliable, up-to-date prevalence estimates simply do not exist (see, e.g., GSI, 2023; Home Office, 2018; Whitehead et al., 2021). Fifth, the scale of criminal prosecutions is remarkably low given the sheer volume of people formally identified by the state as victims/survivors (who are themselves the tip of the iceberg) (Broad & Gadd, 2022; Cockbain et al., 2025a; CPS, 2023). Sixth, despite vast spending on anti-trafficking, there is extraordinarily little in the way of formal evaluation of the impact of interventions, particularly in relation to preventative measures (Bryant and Landman, 2020; Cockbain et al. 2025b; Cockbain et al. 2018; Kiss and Zimmerman 2019).

Financial Violations

Non-payment of wages occurs when workers do not get paid for all the hours, they worked (excluding voluntary work), or receive a rate below what was agreed, and/ or below the legal minimum (as per the National Minimum Wage Act 1998, which notably does not apply to the self-employed). There is also the issue of lost income due to unauthorised deductions, unequal pay/pay discrimination, and the failure of employers to contribute to entitlements like pensions (Pósch et al., 2024). Most of the evidence regarding financial violations in the UK focuses on non and under-payment of the NMW, as this is where state enforcement overwhelmingly concentrates. Other laws relating to, for example, unauthorised deductions tend to be state enforced only when they result in payment below the NMW (Pósch et al., 2024). Yet, in the Employment Tribunal system, one of the most important categories of non-compliance is unauthorised deductions (Ministry of Justice, 2025).

It has been estimated that every year £1.3 billion in wages are unpaid across the whole of the UK labour market, due to unpaid wages (excluding unpaid holiday pay, dealt with separately below) (Clark and Herman, 2017), and that under payment of wages affects around one in 20 workers (Cominetti and Judge, 2019). It also appears to be concentrated in low-wage sectors (Cominetti and Judge, 2019). In relation to this, ONS ASHE (Annual Survey of Hours and Earnings) data suggests that around 20% of workers paid at or around the minimum wage are underpaid on the NMW (LPC, 2023). Migrant workers also appear particularly susceptible to wage theft, according to separate research by Burnett and Chebe (2024).

Unpaid overtime is a related issue (although not something that would be categorised by the tribunal as ‘unauthorised deductions’ given the regulatory gaps here). Pan-European research finds that levels of overtime in the UK are comparatively high (though paid overtime is in decline: see Bell and Hart (2020) and D’Arcy (2017), and that the UK belongs to a minority of countries where employers have no statutory obligation to pay salaried workers overtime (unless it takes a worker below the NMW), or pay an overtime premium (Eurofound, 2022). Unlike many other European countries, there is also no express limit on overtime²¹ in the UK (Eurofound, 2022). The TUC (2025) has estimated that UK workers contributed £31 billion in unpaid overtime in 2024, and that 3.8 million people did unpaid overtime, working an average of 7.2 unpaid hours a week. For these workers, this is equivalent on average to £8,000 a year of wages going unpaid. The most common occupations for unpaid overtime were identified as teaching (38%) and health and care managers (35%), potentially reflecting public sector work pressures in schools and hospitals respectively (see also ONS, 2022). ONS (2022) data points to unpaid overtime being more prevalent amongst highly qualified (degree level or above)

²¹There is no numerical ceiling of a specific number of overtime hours that cannot be exceeded. Working time limits (e.g. daily and weekly rest requirements, and cap on number of hours a worker can be required to work a week on average) may come into play as a de facto limit on overtime, but they are not overtime-specific but rather apply to any working hours. Moreover, opt-out provisions apply there (for more details, see Pósch et al., 2024).

workers. Ciphre research (from 2023) estimates that around half (49%) of UK employees work extra hours for free every week, compared to 29% of employees who get paid for their overtime. DTI research (DTI, 2011) finds that, for those working overtime, 43% said that it was all unpaid and 17% said that it was both paid and unpaid. Overall, Papagiannaki et al. (2021) find that unpaid overtime amounts to 6.33% of Britain's GDP, but crucially they also note that both paid and unpaid overtime: "do not reach the productivity of basic working hours". Whilst unpaid overtime in the UK appears to be a growing issue (Chung et al., 2020), there is a lack of clear enforcement routes to protect against it unless it breaches NMW regulations. Otherwise, there may be a breach of contractual entitlement involved, but a lack of express statutory rights on unpaid extra work.

Moving from overtime to holiday pay, Clark and Herman (2017) estimate that every year UK workers are underpaid £1.8 billion in holiday pay (using ASHE, LFS, NMW and CAB data). More recent data reviewed by the Resolution Foundation indicates that that 900,000 UK workers per year (3% of employees) have no paid holiday (Judge and Slaughter, 2023). It has been argued that trade unions play a particularly important role in ensuring holiday pay and preventing breaches of workers' rights in this area, and Forth and Bryson (2019) conclude (in a UK study) that: "union members and those covered by union bargaining enjoy larger entitlements to paid holidays than non-union employees".

Beyond the headline statistics there are also important personal stories to be heard from workers around the nature of wage theft and ways of resisting it (see for example: Cole et al., 2024). In addition, the reasons employers engage in wage theft is also an important question that requires more research (Clibborn and Hanna-Osborne, 2023).

Finally, there are certain instances in the UK where workers can legally go unpaid, often for months: namely, internships. The Sutton Trust (2018, 2025) has been highly critical of this practice, which concentrates in certain sectors, seeing it as exploitative, and a barrier to entry into certain industries for lower-income groups. From a legal perspective, whether an intern or work-placement student is entitled to NMW depends very much on the nature of the work they are doing and their employment status²².

Health and Safety Violations

The latest figures estimate that there are 1.9 million workers suffering from a work-related illness, with the annual cost to Britain of workplace injuries and work-related ill-health now reaching £22.9 billion (HSE, 2025a). The environment for Health and Safety regulations in the UK, however, has been quite challenging for decades now (Tombs and Whyte, 2013). Related to this, workplace inspections have been falling (Almond and Esbester, 2018) and by 2023 were at around 17,000 per annum (down from 20,000 per annum in 2017) (UK Parliament, 2024). Whilst health and safety violations fall outside the remit of the former ODLME and now FWA, their overlap with labour market non-compliance within these remits deserves serious attention. Moreover, any strategy to tackle economic inactivity in the UK would do well to consider mental health impacts of precarious work in particular (as outlined earlier in this chapter) (see also Pósch et al., 2024). Crucially, the HSE is responsible for breaches of health and safety regulations, including those in relation to mental health stressors, which we know are significant at present in the UK (Mental Health UK, 2026).

²² See <https://www.gov.uk/employment-rights-for-interns>

Denial of Leave and Breaks

Not being able to take leave – whether for holiday, sickness, caring, bereavement, or other grounds – may be a function of workers not having legal entitlements to such leave, the level of pay associated with it, a reluctance to take such leave due to workloads, fear, insecurity etc., or bureaucratic barriers being placed in the way of it by employers.

In terms of annual holiday leave, Clark and Herman (2017) find uncertainty around UK workers' understanding of their right to paid holidays. Overall, 5% of respondents in employment (surveyed via the Labour Force Survey) reported no entitlement to paid holidays, even though the Working Time Regulations (WTR) entitles workers working a standard 5-day week to 28 days paid holiday per year (including bank holidays). In addition, Clark and Herman's qualitative data indicates considerable bureaucratic barriers being placed in front of some workers wanting to take paid annual leave, which often prevent them from doing so (see also Pósch et al., 2024). Significantly, understanding of holiday (pay) entitlements in the UK has been shown to be poor overall, with some workers not actually being aware, for example, that they are getting their entitlement by default (Kantar, 2019). Overall, it has been estimated that around one-quarter of employees in the UK do not take their full annual holiday entitlement (DTI, 2011).

In terms of sickness and bereavement leave, 'presenteeism' (going to work when ill) is a major issue in the UK, and globally. Millions of workers in the UK are not eligible for sick pay, and those who are eligible receive some of the lowest levels of statutory sick pay amongst OECD countries (OECD, 2020). The ERA 2025 has made notable steps towards addressing this inequity by removing the current 3-day waiting period to claim Statutory Sick Pay, meaning employees are now able to receive sick pay from day one of their sickness (see section 10). The earnings threshold has been abolished by section 11, making Statutory Sick Pay available to all employees, including the lowest paid. Entitlement to Statutory Sick Pay is still contingent, however, upon having an 'employee' employment status for tax purposes; some workers who have a 'limb (b)' status for employment law purposes but do not have their tax deducted through PAYE are still excluded. Entitlement to Bereavement Leave has also been expanded and its rate of pay increased by the ERA 2025. Bereavement Leave is expected to become a day-one right in 2027.

Qualitative studies have shown that a complex range of factors (like pay, size of employer, nature of work) affect workers' willingness and ability to take time off when sick (Irvine, 2011). Being too scared to go off sick has been identified as a major issue (e.g. Hadjisolomou et al., 2022). There are also distinct socio-demographic patterns related to access to and level of sick pay, which are still poorly understood. In one of the few studies in this area, Patel et al. (2023), via a large-scale survey, found substantial inequalities and discrimination, particularly connected to age and ethnic status, in sick pay access in the UK (see also Pósch et al., 2024).

For carers' leave, there are around 1.9 million 'working-carers' in the UK, who are in paid employment with informal care responsibilities for a relative (Allard, 2025). Women are almost twice as likely to be carers as men (12 per cent versus seven per cent of employees in the UK) (DTI, 2011). UK employees are entitled to take one week of carer's leave every 12 months, with employers deciding whether to pay for this or not. The rest of any paid or unpaid care related leave for employees, and all care leave for those not classed as employees, must be negotiated between workers and their employers. Data on the experiences of working-carers in the UK, and their use of leave to help them in their informal care responsibilities, is limited, though the need for such care (especially given the ageing population) is a growing one. There is also particular concern around carers having to leave the labour market

because of their caring responsibilities (Pickard et al., 2018), an important issue given the focus on economic inactivity in the UK over recent years.

For parental leave, the UK has had a system of shared parental leave since 2015, whereby mothers or primary adopters can transfer up to 50 weeks maternity leave (there is a statutory entitlement to 52 weeks leave) to their partners. There have been major questions, however, around eligibility and uptake of this leave (Banister and Kerrane, 2024), and around the pay associated with it, with Banister and Kerrane (2024) characterising it as: “long, but comparatively poorly rewarded leave”. The family leave entitlements in the UK do not compare favourably to other OECD countries (House of Commons, 2025), and overall, there is agreement that: “the system serves many working parents very poorly” (House of Commons, 2025). Amid this context, in July 2025 the UK Government launched an 18-month review into the parental leave and pay system²³.

Issues related to leave are the right to breaks (which need not be paid) and limits on working hours (set by the UK Working Time Regulations for over 18s at 48 hours per week on average) (see Pósch et al., 2024). There is a useful emerging international literature on understanding why people may or may not take breaks, and on the positive impacts breaks can have on performance (Nastasi, 2023; Phan and Beck, 2023). There is also an established international literature on the importance of a healthy ‘work-life balance’ overall. It is clear, however, that workers are not always taking the breaks or days off that they need, and are entitled to, and that this can negatively impact upon productivity, and thus profits.

Discrimination

The Equality Act 2010 merges nine pieces of legislation and identifies the following ‘protected characteristics’: age; disability; gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion or belief; sex; sexual orientation. In Northern Ireland the legislation²⁴ covers the same protected characteristics, with the addition of political opinion and includes an equal opportunities obligation on employers in relation to religious belief, political belief, race and sexual orientation. There are specific literatures on these nine protected characteristics as they pertain to discrimination at work, though there is not the space to review them here (see also Pósch et al., 2024). However, it is worth mentioning that disability discrimination is one of the most common categories of Employment Tribunal claim in the UK (Ministry of Justice, 2025). Positioned alongside the significant disability employment gap (discussed above) this is noteworthy. In line with the intersectional theory introduced earlier, different aspects of identity often combine to underpin discrimination, which can make tackling or proving the problem quite difficult (Atrey, 2019). There are also gaps around characteristics that are commonly associated with discrimination at work but remain unprotected in the Equality Act 2010 (though they may be partially covered elsewhere), such as appearance (Mason and Minerva, 2022) and class (Benn, 2020). People are protected from discrimination on the grounds of trade union membership under the Trade Union and Labour Relations (Consolidation) Act 1992. Political belief may fall under the belief part of the Equality Act. It is worth noting here that the state enforcement remit for breaches of equalities legislation sits not with the FWA (or former ODLME) but with the Equality and Human Rights Commission (EHRC) and Equality Commission for Northern Ireland (ECNI). In any case, non-discrimination rights (including harassment and victimisation) are

²³ <https://www.gov.uk/government/collections/parental-leave-and-pay-review>

²⁴ The relevant NI equalities legislation is the Employment Equality (Age) Regulations (NI) 2006; Disability Discrimination Act 1995; Sex Discrimination (NI) Order 1976; Race Relations (NI) Order 1997; Fair Employment & Treatment (NI) Order 1998; Employment Equality (Sexual Orientation) Regulations (NI) 2003; and the Equality Act (Sexual Orientation) Regulations (NI) 2006. S.75 Northern Ireland Act 1998).

principally enforced by workers themselves through legal claims, though the EHRC and ECNI have the power to assist individuals in their legal proceedings.²⁵ Finally, alongside discrimination there are the related issues of bullying and harassment (e.g. Barmes, 2015), which can often be rendered invisible by the commonplace use of non-disclosure agreements (Barmes, 2023).

Dismissal and Redundancy Violations

Unfair dismissal, which only applies to employees, has a two-year qualifying period and Employment Tribunal awards in this area are currently capped (see Pósch et al., 2024). There are some ‘day-one’ exemptions from this qualifying period (e.g. Whistleblowing, Discrimination, Pregnancy, and Trade Union activity). Currently, almost one in three employees (31% or nine million people) fall outside the two-year qualifying period for unfair dismissal in the UK (DBT, Unfair Dismissal Factsheet). Notably, from 2027, the Employment Rights Act 2025 will reduce this qualifying period to six months. Dismissal claims are the most common category of claims brought to the Employment Tribunal system at present, making up almost one quarter of all cases (22%) (Ministry of Justice, 2025). Alongside unfair dismissal, there are other related practices around redundancy, such as the ‘fire and rehire’ actions of some employers (infamously, P&O in 2022). The Employment Rights Act 2025 aims to better regulate and curtail such behaviour. Section 28 sets out a framework of protections for employees who are dismissed for failing to agree to certain restricted variations to their contract of employment or are dismissed in order to replace or re-engage them on restricted contractual terms. Such dismissals will be treated as automatically unfair unless the employer can show evidence of financial difficulties concerning their business viability, that the changes were made to eliminate, prevent, significantly reduce or significantly mitigate the effect of those financial difficulties, and that the changes were unavoidable. If the employer meets this test, the Employment Tribunal will still have to assess whether the dismissal was fair in the circumstances.

Documentation Violations

There are two main types of documentation violation: 1) payslip violations (i.e. the absence of them, payslips without the required information, lack of access to payslips); and 2) violations relating to non-provision of a contract (technically known as a ‘written statement of employment particulars’), or, for agency workers, key information document (i.e. employers not providing workers with these at all or within legally specified time limits). In terms of the former, Judge and Slaughter (2023) estimate that currently, 1.8 million workers in the UK do not get a payslip, with this being a particular issue in small firms, amongst low-wage workers, and in certain sectors (e.g. agriculture). Clark and Herman (2017) in their UK research have noted that lack of payslips can link to wage violations in particular and that: “unpaid wages (can) be accompanied by other abuses of workers’ rights such as failure to provide payslips or written terms of employment”. Similarly, Clark and Kumarappan (2011) argue that the absence of payslips can be an indicator of various other forms of labour market abuse. Notably, HMRC requires employers in the UK to hold pay records for three years for PAYE records, six years for NMW records.

²⁵ Equality Act 2006, section 28. Under sections 21-23, the EHRC has the power to enforce discrimination duties by issuing an Unlawful Act Notice on an employer and put in place an Action Plan or reach an agreement with the employer to address the discriminatory actions. These powers are used very sparingly. Although the underpinning legislation differs, the ECNI has the same powers.

Beyond payslips, the evidence base in the UK on contracts and key information documents is an emerging one. A survey of UK agency workers showed that only 65% recalled being provided with a written statement detailing key information relating to their current, or most recent, main assignment. Significantly, though, a third (32%) did not recall receiving this key information document (DBT, 2025c).

A Social Harm Perspective

In this research, we follow the former ODLME's definition of labour market non-compliance, for which it had a statutory requirement to report on the scale and nature thereof (see Chapter 1). To reiterate, however, numerous breaches of workers' rights – be it their employment rights or other rights, e.g. around health and safety – fall outside the former ODLME's remit and now that of the FWA. For this research, we therefore use the term 'work-based harm' to refer to breaches or potential breaches of other laws in the workplace but outside of the 'labour market non-compliance' remit. The category 'work-based harm' also encompasses experiences that are arguably best seen as 'lawful but awful' – i.e. experiences that may not breach any existing laws but are nevertheless undesirable and can be detrimental to people's economic, social, psychological and physical wellbeing, and overall experiences of work.

Governments have good reasons to be interested in both labour market non-compliance and wider work-based harm, particularly where the latter breaches other laws (i.e. can involve 'non-compliance' if not labour market non-compliance as defined by the then ODLME's remit). Addressing non-compliance reduces illegality and prevents a 'race to the bottom' whereby unscrupulous employers undercut legitimate ones (Metcalf, 2017). The importance of tackling non-compliance to create a level playing field, and avoid a downward competitive spiral, has also been stressed by UK businesses as well as government agencies (Metcalf, 2018). In addition, addressing wider work-based harms that may be 'lawful but awful' can make, for example, reintegration into work more likely for the economically inactive, and can reduce health and welfare costs. A social harm perspective also prevents one from viewing problems at work too narrowly and captures problems at work with their full complexity and in the round. Had we limited our focus to the former ODLME's remit, we would already have missed an opportunity to capture issues that were outside of that but now fall into the remit of the FWA (most notably, in relation to holiday pay). Moreover, and as explained in Chapter 1, there is a clear expectation that the FWA's remit will expand gradually to encompass enforcement of a wider range of employment rights (DBT & FWA, 2026). The combined perspective we took, and wider range of evidence thus generated may help to inform deliberations on potential priority areas.

In the current research, we focus on ten dimensions of labour market non-compliance and work-based harms (see Box 2.2, and Chapter 8 for underpinning legal context and enforcement remits). While certain breaches or potential breaches of workers' rights outlined in Box 2.2 fall squarely into the then ODLME's/now FWA's remit (e.g. NMW violations, and others 1-4 inclusive), some will only fall within remit in specific instances (e.g. key information document-related violations would, but other contract-related violations would not; unpaid extra hours would only if it pushed average earnings below NMW). Other areas (e.g. physical injuries, negative mental health impacts of work and bullying and harassment) can fall into other state regulators' enforcement remit. There are also state enforcement gaps.

Textbox 2.2: *The ten main dimensions of labour market non-compliance and other work-based harm examined through our primary research.*

1. Being charged illicit work-finding fees (asked of agency workers only)
2. Contract- or key information document-related violations
3. National Minimum Wage violations
4. Payslip-related violations
5. Unfair deductions
6. Unpaid extra hours of work
7. Leave-related difficulties
8. Physical injuries at the workplace (to self or a co-worker)
9. Negative mental health impacts due to work
10. Bullying and harassment at work

In the UK, a focus on severe labour market abuse (i.e. forced labour, modern slavery, human trafficking) has been evident over recent years. While these are certainly important rights violations to address (and to do so well), we also need to recognise that most people experiencing issues and problems at work are not victims of such extreme criminal activity. Additionally, many workers suffer harm from their work without employers, managers or others necessarily breaching any laws. In this respect, it is worth distinguishing between severe and less severe forms of exploitation and recognising the presence of an exploitation continuum (Andrees, 2008; Skrivankova, 2010). It is also worth paying attention not only to those harmed through work due to unlawful activity, but also those harmed through work due to ‘accepted’ everyday practices (Cockbain et al., 2019; Davies, 2019; Scott, 2017). In the UK it has been argued that formal protections for workers are weak and so harms can prevail without necessarily breaching particular laws (Grimshaw et al., 2017). Here the key thing to remember is that not everything that is illegal is harmful, and vice versa.

A more expansive theoretical approach to issues at work, anchored in a social harm framework, not only takes us beyond the recent focus on modern slavery towards labour market non-compliance at large, but allows us to also consider the negative aspects of work that may not always contravene the law (Lloyd, 2019; Pemberton, 2015; Scott, 2017). For instance, the increasingly ambitious targets workers are set, the way these are monitored through new surveillance technologies, the sanctions in place if these are not met, and the intensity of work that results from these, often leads to work-based harms. Similarly, and related to this, we know that precarious work *per se* can cause harm, especially around mental health and well-being. A focus on harm goes broader than only relatively clearcut legal violations easy to identify in a general population survey and allows us to include these issues – and it also draws us to explore how they may be related to labour market non-compliance (see Chapter 8). Moreover, even if enforcement action inevitably targets individual employers, a social harm perspective opens up space also to consider structural and systemic factors underpinning non-compliance, which remain important considerations for government.

Clearly, a work-based harm approach is broader than the labour market non-compliance remit of the then ODLME/now FWA (see Figure 2.1). However, the approach captures a wider problem with work and situates labour market non-compliance within it. In addition, things like labour market changes, worker-employer relations, and the changing economy all come into play in understanding the harms emerging through work. This takes us beyond the theory of the ‘bad apple’ employer when thinking about non-compliance. It also takes us towards a consideration of how we might achieve ‘decent work’, as advocated by the ILO and the UK Government (Taylor, 2017). Unusually for a literature

review, therefore, we end by broadening rather than narrowing the field of view. However, this social harm perspective is a necessary entry point for fully framing the question of the scale and nature of labour market non-compliance in the UK.

Conclusion

In this chapter, we have argued that understanding the scale and nature of labour market non-compliance in the UK and the experiences of precarious workers relative to the wider workforce involves three interlocking elements. First, understanding precarious work. Second, understanding the parameters of labour market enforcement. Third, understanding different ways in which workers' rights can be breached and key findings from the literature on these topics to date. Alongside this, there are three key structural/theoretical perspectives that are helpful in framing the scale and nature of the non-compliance question. First, intersectionality, which highlights the varied social dimensions of both precarious work and labour market non-compliance. Second, social harm, which emphasised how work-related issues are bigger than labour market non-compliance alone (and indeed other forms of non-compliance), with complex underlying causes, and broad consequences. Third, the prevailing political-economic context within which UK work, workers and workplace regulation currently exist. Together, the six overlapping elements presented in this literature review constitute the foundational knowledge base against which our own findings are situated.

Chapter 3: Methods

Chapter summary

This chapter details the mixed-methods approach underpinning the Working Lives Project, which combined a large-scale worker survey with in-depth qualitative research to examine the scale and nature of labour market non-compliance and other work-based harms in the UK. The quantitative backbone of the study is the 'Working Lives Survey', which drew on a unique opportunity to qualify as an Associated Study to the Understanding Society Survey. As a methodological innovation, the study incorporated Respondent-Driven Sampling (RDS), whereby precarious workers were encouraged to recruit others in similar circumstances; integrating RDS with probabilistic surveys allowing for inferences to the wider population of workers. In addition, a large sample of the general workforce was recruited via Verian's Public Voice Survey. The resulting design yielded a total sample of over 4,000 respondents for the full workforce, and over 1,300 specifically for precarious workers, with four overlapping samples enabling inferences about both the full workforce and precarious workers specifically, with and without the RDS component. After weighting, the share of precarious workers closely aligned with independent estimates from the Understanding Society Survey, providing confidence in the sampling and weighting strategy. The survey questionnaire was developed in consultation with six project advisory groups and tested via cognitive interviews, covering a wide range of topics from pay and hours to health and safety and workplace harms, and was made available in nine languages. Analytically, the study employed weighted descriptive statistics, crosstabulations across key covariates, and multivariate regression models tailored to the type of outcome variable.

The qualitative research comprised two complementary strands. First, in-depth semi-structured interviews were conducted with 24 people in precarious work, all drawn from the RDS component of the survey. Sampling prioritised diversity across industry, demographics, region, and experiences of labour market non-compliance, with sequential recruitment rounds broadening the selection criteria as needed. Interviews covered the full range of non-compliance and work-based harm categories from the survey, situated within participants' broader working lives and trajectories. Second, six online focus groups were held with 50 workers to explore attitudes towards and experiences of trade unions, staff associations, and other forms of worker voice and support. Group composition was structured around trade union and staff association membership status, while also seeking diversity in personal and job-related characteristics. Both the interviews and focus groups were analysed using reflexive thematic analysis, with transcripts double-coded inductively by two researchers working independently before agreeing on final themes collaboratively.

Introduction

As we set out in the interim report (Pósch et al. 2024) and as established in the introduction (Chapter 1), a mixed-methods approach is especially well-suited to address our research questions. While a worker survey on its own might be sufficient to estimate the prevalence of the various instances of labour market non-compliance in the UK, it falls short of providing the nuance required to understand the lived experiences of workers. This is especially true when it comes to this area of research, which suffers from a dearth of empirical evidence including no discernible boundaries regarding what constitutes 'decent', 'unfair', or 'exploitative' work (see Chapter 2). Moreover, the inherent strength of qualitative research goes beyond its flexibility and exploratory potential, providing unique descriptive insights into a topic and more details than could a purely quantitative account, as well as carrying strong comparative potential permitting a contextualisation of headline numbers and statistical associations (Rendle et al. 2019).

Although quantitative and qualitative research are traditionally distinct from each other (Goertz and Mahoney, 2012), this does not mean that these two approaches are irreconcilable. From a design perspective, we favoured a sequential explanatory approach (Creswell & Plano Clark, 2017; Creswell et al., 2003), whereby the quantitative data guided the sampling and thematic focus for the qualitative research. The qualitative results in turn helped to explain and build upon the quantitative findings.

In mixed methods approaches, triangulation of results can achieve three complementary goals: increasing the validity of the inference in the case of results converging (Kern, 2016); delineating the boundaries of our understanding and identifying knowledge gaps; and most importantly providing a more holistic understanding of, in the current case, labour market non-compliance and otherwise unattainable insights into the ‘causal mosaic’ of risk, harm, and work-related experiences and behaviours (Johnson et al., 2017).

Furthermore, and relatedly, mixed methods research helped us to establish a ‘dialogue’ between the quantitative and qualitative findings, generating new knowledge (Small, 2011). The quantitative data informed the qualitative findings by providing a baseline ahead of the interviews and evidence for the focus groups thus, directly feeding into the respective topic guides. Second, it also helped to place the qualitative findings on the spectrum of labour market exploitation (i.e. contextualisation). The quantitative results were also augmented by the qualitative research, which helped to make sense of and provide a narrative context to them. Finally, as we will demonstrate in the policy recommendations (Chapter 12), the convergent and divergent findings from the two strands mutually reinforced each other by offering the chance of reconciliation between the two.

Quantitative Methods – The ‘Working Lives Survey’

Sampling

The cornerstone of our project was the unique opportunity to qualify as an Associated Study to the Understanding Society Survey, the largest household panel survey in the world (<https://www.understandingsociety.ac.uk/>). This afforded us unique access to a representative sample of people in precarious work using the inclusion criteria that build on those outlined in a foundational report for the Office of the Director of Labour Market Enforcement (ODLME) (Pósch, et al., 2022a, 2022b), which provided novel statistical insights into the scale and nature of precarious work in the UK from 2009 to 2022. Shaped by that previous work, in the current study someone qualified as a precarious worker if they met at least two of the following three criteria:

1. low income (under £24,000, or less than two thirds of the approximate median pre-tax earnings of workers in the UK in March 2025, the start of the data collection)
2. in non-traditional work (defined as any paid work other than being an employee in a single job, such as having multiple jobs, being self-employed, agency worker, working in the gig economy, doing an apprenticeship, or any combination of these)
3. immigrant and/or ethnic minority background **and** working at a small workplace (with less than 50 people working there)

Figure 3.1: Working Lives Survey Logo



To begin with, using our selection criteria, we identified 4636 people in the Understanding Society Survey who were highly likely to be in precarious work at the time of the data collection. These 4636 participants qualified if, at the time of data collection, they (1) were precarious workers; (2) were out of work, but based on our group trajectory modelling (detailed in Pósch et al., 2024) they had an 80%+ chance of returning to work by the next data collection wave (for instance, participants on maternity leave or off work due to caring responsibilities); (3) were part of the latest General Population Sample boost 2, less than 25-years-old, and in education or training.

Out of this 4636, 2483 were randomly invited to participate in the Working Lives Survey (Figure 3.1). These IDs were provided by the Understanding Society Survey Team to the survey company Verian who handled the recruitment and data collection for us. Depending on the details available for them, the participants either received a pre-notification email or a physical letter, followed by a combination of emails, texts, and physical letters. In total, each participant received an initial invitation followed by two reminders (if needed). The survey was collected online with a soft launch in March 2025, followed by a mainstage data collection in April 2025.

As a methodological innovation, we asked each participant whether they knew anyone who was also in precarious work and encouraged them to invite them to take part in the study. This approach is called Respondent-Driven Sampling (RDS). RDS relies on recruiting participants via the initial group of respondents, who use their social networks to sign up people from the target population (chain referral). RDS offers a solution to a common issue in survey sampling: how to access and make inferences about hard-to-reach and hidden populations (i.e. populations where a proper sampling frame cannot be established, (Bryant, 2014). RDS has been used, among others, to study men who have sex with men (Diexer et al., 2023; Truong et al., 2013), rural communities in remote areas (McCreesh et al., 2013), people living with HIV (Kim & Handcock, 2021; McCoy et al., 2013), refugees and migrants (Pham et al., 2023), immigrants and intravenous drug users (Lee et al., 2020), new mothers (Carlin et al., 2021), sex workers (Bossard et al., 2022), and so on.

Unlike a traditional RDS, our approach builds on the work of Agans et al. (2021) and asserts that an RDS design could be effectively combined with a probabilistic survey (also see (Rudolph et al., 2013 for the mathematical basis of this approach). Merging a traditional sampling approach with RDS can be considered a modified adaptive sampling strategy (Carpenter et al., 2018; Rosenblum et al., 2018), where each eligible participant is asked to recruit others who are similar to them. Crucially, this approach does not require achieving some sort of equilibrium or obtaining long-running chains, quite the opposite: the closer the recruited person is to the original seed/node, the more likely that one will be able to assign an accurate weight to them. This is because the probabilistic nature of the survey

can be leveraged where the sampling information of the original seed/node is known and use that information when making inference from the sample to the population.

The key strength, but also the key limitation, of the RDS approach is that it relies on strong network ties for effective recruitment. Our pilot study (carried out in December 2024) found that precarious workers do not appear to have large networks (i.e. they have a limited number of close relations to people in a similar situation as themselves), which meant that the RDS could not possibly yield a large number of additional respondents (for details see Appendix A: Pilot). This meant that we needed to modify the original study design which would have focused more exclusively on precarious workers.

One positive consequence of RDS under-reporting was that we could repurpose some of the project resources to broaden a survey of the whole workforce that we originally envisioned as a much smaller and partial replication of our survey. This meant that we could use the Public Voice Survey (conducted by Verian) to provide a large (2500+) sample of the whole workforce. The sampling procedure here was similar to the one followed for the Understanding Society Survey, with the same number of invitations and reminders and a small telephone survey element to ensure greater coverage of the population. However, there were two notable distinctions during the data collection. First, here screener questions were used and only people who received an income from their work in the last two years were included in the sample. Second, the RDS element was not used here. The data collection took place in June and July of 2025.

Thus, the sample from the Public Voice Survey provided information for the whole workforce with the Understanding Society Survey and the RDS as boost samples of precarious workers. In fact, thanks to this specific design, we could create four samples, each of which is capable of making inferences to different parts of the population: (1) sample of the full workforce with the RDS sample used; (2) sample of the full workforce without the RDS sample used; (3) sample of precarious workers with the RDS sample used; (4) sample of precarious workers without the RDS sample used. The results for these four samples can be juxtaposed to each other, so the integration of the RDS sample could be compared to the non-RDS results as well.

There is an argument to be made about whether the RDS sample, an admittedly more experimental approach, should be incorporated into the analysis. We believe that this sample effectively complements both the Understanding Society and Public Voice Surveys. Furthermore, the results remain largely consistent even when one excludes the RDS from the analysis. It follows that for the rest of the report, when making inferences to the whole workforce in general, and precarious workers in particular, we will be relying on the samples with the RDS incorporated into them.

Final sample

Table 3.1 summarises the final sample characteristics of the Working Lives Survey. The full workforce survey amounts to 4,012 respondents with and 3,768 respondents without the RDS component, with an associated margin of error of around 1.6% for both sample sizes. The samples comprising only precarious workers make up 1,342 respondents with the RDS sample and 1,124 without, with the margins of error of 2.7% and 2.9% respectively.

Table 3.1: Sample composition of the Working Lives Survey (non-weighted estimates)

Characteristic	Full workforce	% of precarious workers (sample)	Full workforce with RDS	% of precarious workers (sample)	Precarious workers	Precarious workers with RDS
Sample size	3768	29.83%	4012	33.45%	1124	1342
Understanding Society Survey	817	72.09%	817	72.09%	589	589
RDS sample	0		244	89.34%	0	218
Public Voice Survey	2951	18.13%	2951	18.13%	535	535
% of precarious workers (sample)	37.36%		42.36%		100.00%	100.00%
% of precarious workers (weighted)	14.05%		14.10%		100.00%	100.00%
Margin of Error	1.60%		1.55%		2.92%	2.68%

As expected, there was a considerable variation in the proportion of precarious workers (according to our definition) recruited by the various surveys. In the case of the Understanding Society Survey, 72.1% of workers were precarious, which went up to 89.3% in the RDS (i.e. among those who were recruited by Understanding Society participants). By contrast, only approximately 18.1% of participants were precarious workers in the Public Voice Survey. Notably, these results do not correspond to shares in the population but to sample proportions.

In effect, and by design, our sampling strategy oversampled precarious workers. This meant that the share of precarious workers in the full sample with the RDS amounted to 42.4%, and without the RDS 37.4%. However, after weighting, the share of precarious workers went down to 14.1% compared to 14.3%, the latest estimate for precarious workers from Wave 14 of the Understanding Society Survey, giving us confidence in the weighting strategy. This means that our weighted estimates appear to align well with the results from the Understanding Society Survey, indicating appropriate alignment with a high-quality population survey.

The Working Lives Survey Questionnaire

- The contents of the Working Lives Survey, both from a theoretical (conceptualisation) and pragmatic (operationalisation) perspective were developed in consultation with the various advisory groups as detailed in the interim report (Pósch et al. 2024). Once we devised our survey instrument, the new questions developed by us were tested via cognitive interviews (see Pósch et al. 2024 for further details). This process not only helped us to test, revise, and improve the questionnaire, but also led to certain parts being removed after consultation.
- The overview of the final questionnaire is shown in Table 3.2, with changes made as a result of the testing process clearly signposted. As discussed in the operationalisation section of the interim report (Pósch et al. 2024), where we could we adopted questions from existing high-

quality surveys either fully or with minor modifications. On such occasions, we only tested the questions that have gone through meaningful changes. However, as shown in Table 3.2, most of the questionnaire had to be newly developed and all of these new instruments went through full testing (i.e. cognitive interviews complemented with online probing).

- Depending on the feedback received from the cognitive interviews, we either adopted the questions without any modifications (e.g. questions about trade unions and staff associations or bullying and harassment); with minor modifications (e.g. questions regarding unfair deductions or leave related issues); or with major modifications (e.g. the final ‘catch-all’ question and National Minimum Wage violations). The only set of questions that we could not include were access to justice-related questions where we tested multiple iterations to no avail. However, other than this topic, the final questionnaire included the rest of the areas that we intended to focus on. For easier readability, we collated the main outcome variables of interest for Chapters 4-7, please refer to Appendix B (Main outcome variables of interest) for these. Depending on the data collection wave, we used slightly different surveys. For the most expansive survey used in the data collection, please refer to Appendix C (Full questionnaire) which includes the survey used for the Understanding Society participants.

Among the Understanding Society participants, on average, the survey took around 14.3 minutes to complete, increasing to 17.1 minutes for those who decided to take part in the respondent-driven sampling²⁶. This suggests that despite the high number of topics covered in the questionnaire, the length of the survey was not overbearing.

Table 3.2: An overview of the Working Lives Survey questionnaire, the question testing, and actions taken (if any)

Construct	Source	Testing	Action taken
Current or last occupation	From existing high-quality survey(s) with small changes	Partially tested	Adopted with minor modifications
Current or latest work, occupation, industry	From existing high-quality survey(s) with small changes	Partially tested	Adopted with minor modifications
Screeners questions for precarious work	From existing high-quality survey and newly developed	Partially tested	Adopted with minor modifications
Respondent-Driven Sampling Questions	From existing high-quality survey and newly developed	Partially tested	Adopted with minor modifications

²⁶ Similar estimates could not be provided for the participants of the Public Voice Survey due to recording issues associated with the relevant variables (i.e. start of the survey and end of the survey).

Construct	Source	Testing	Action taken
Hours worked	From existing high-quality survey and newly developed	Partially tested	Adopted with minor modifications
Harassment-related questions	Newly developed	Fully tested	Adopted without any changes
Trade unions	Newly developed	Fully tested	Adopted without any changes
Apprenticeship-specific questions	Newly developed	Fully tested	Adopted without any changes
Agency worker-specific questions	Newly developed	Fully tested	Adopted without any changes
Leave-related questions	Newly developed	Fully tested	Adopted with minor modifications
Gig-economy/Self-employment-specific questions	Newly developed	Fully tested	Adopted with minor modifications
Income	Newly developed	Fully tested	Adopted with minor modifications
Unpaid extra work	Newly developed	Fully tested	Adopted with minor modifications
Unfair deductions	Newly developed	Fully tested	Adopted with minor modifications
Health and Safety	Newly developed	Fully tested	Adopted with minor modifications
Administrative violations (payslips, new job, contracts)	Newly developed	Fully tested	Adopted with minor modifications
National Minimum Wage Violations	Newly developed	Fully tested	Adopted with major modifications
Final catch-all question	Newly developed	Fully tested	Adopted with major modifications

Construct	Source	Testing	Action taken
Access to justice	Newly developed	Fully tested	No solution found, could not be included
Demographics	From existing high-quality survey(s) without changes	Not tested	Adopted without any changes
Social capital	From existing high-quality survey(s) without changes	Not tested	Adopted without any changes

The survey was translated to Arabic, Bengali, Polish, Punjabi Gujarati, Romanian, Russian, Ukrainian, Urdu, and Welsh. These translations were commissioned by Verian, and we asked native speakers living in the UK to double-check the translations to ensure that the questions would be easy to understand for workers living locally. Table 3.3 shows a breakdown across the various languages, showing that almost all respondents opted to take the survey in English.

Table 3.3: Number of people taking the Working Lives Survey in each language

	Full workforce	Precarious workers
English	3998	1334
Welsh	0	0
Arabic	1	0
Bengali	3	1
Polish	4	3
Punjabi Gujarati	0	0
Romanian	2	1
Russian	2	1
Ukrainian	1	1
Urdu	1	1

Analytical methods

The goal of this study is to report on the scale and nature of labour market non-compliance and other work-based harms for the full workforce and precarious workers alike. This means that throughout the report we keep comparing the results for the full workforce (i.e. population of people in paid work currently or at any point in the last two years) and the subpopulation of precarious workers (as per our definition, provided that they were in paid work in the past two years).

In each chapter and where and when appropriate, we use three complementary approaches to data analysis. First, we present weighted descriptive results where we make inferences from our samples to the wider populations of interest. This is a crucial first step as most of the work-related issues, violations, and harms have never been studied before using a representative worker survey. This means that these descriptive statistics provide a novel contribution to our understanding of the scale of labour market non-compliance and work-related harms.

Second, we use crosstabs where we present the distribution of the main violations, potential violations, issues, and harms across a set of influential covariates. These include (1) biological sex; (2) ethnicity and immigration status; (3) low income vs higher income; (4) non-traditional vs traditional work; (5) permanent vs temporary job; (6) small workplace vs larger workplaces; and (7) trade union and staff association presence. This non-exhaustive list of covariates can help describe the relative distribution of each work-related issue category for each population of interest and can provide a valuable starting point to understand the nature of each.

Third, thanks to the relatively large sample sizes, we are afforded the opportunity to fit multivariate regression models to each of the work-related issues, violations, and harms as the dependent variables. The chosen regression model is always determined by the type of outcome variable involved: for the dichotomous variables they are binary logistic regression; for ordered categorical variables, ordinal logistic regression; and for (mock) counts, they are Poisson regression.²⁷ Due to the large number of models and even larger number of significance tests carried out, our chosen evidence threshold is the more stringent 1% (i.e. $p < 0.01$) instead of the conventional 5% (i.e. $p < 0.05$). This was chosen to reduce the possibility of spurious correlations emerging just by pure chance (i.e. limit ‘false positive’ findings). For the sake of simplicity and to enhance narrative flow, in the empirical chapters we limit the discussion of the findings from these models to the significance of the findings and the direction of the associations without commenting on the strength (i.e. effect size) of these effects (which, however, can be found in Appendix D: Multivariate models).

²⁷ As we had to fit a large number of models, our modelling strategy relied on the smallest common denominator instead of trying to identify the most appropriate or best fitting model for each outcome variable. This meant consistently using the same kind of modelling solution even in cases when others might have provided a better fit for a particular outcome variable (e.g. negative binomial model being more suitable instead of Poisson for a count outcome variable). Nevertheless, the substantive results presented in the empirical chapters did not substantially change due to this modelling choice.

In all regression models (unless otherwise indicated), we control for a long list of explanatory variables with the goal of testing a comprehensive set of potentially influential factors:

- Demographic characteristics: Biological sex; Age (in years and its squared transformation to consider non-linear trends); Ethnicity; Citizenship and/or immigration status; Disability
- Socioeconomic background: Education; Low-income vs higher; Occupational class; Number of dependants; Benefits
- Job characteristics: Job location; Region of the job; Industry; Nontraditional vs traditional work; Small workplace vs larger; Number of jobs; New job in the last two years; Permanent vs temporary job; Trade union or staff association presence at the workplace

Finally, in Chapter 8, we also carry out correlational analysis and bivariate regression analysis, with the details explained in that particular chapter.

Qualitative methods

In this section, we introduce the two main qualitative methods used in the study: in-depth individual interviews and focus groups.

Interviews with people in precarious work

This section covers in turn the sampling for the one-on-one interviews, final sample, interview guide, data collection and analysis.

Sampling

Following close consultation with our project advisory groups and the ODLME team, we determined that a broad and inclusive approach to the in-depth interviews would (1) be most useful for labour market enforcement policy and strategy and (2) best reflect the wide variety of issues and affected groups identified via the preliminary survey results. That meant prioritising breadth in terms of both thematic focus and participants' demographic and work-related characteristics. At the same time, we still sought depth in exploring people's experiences and perspectives, as situated within their broader working histories and lives. Accordingly, we recruited for diversity in industry, demographics, region, and experiences of various categories of labour market non-compliance and other work-based harms²⁸.

Informed by the survey findings, we went on to conduct in-depth interviews with 24 people in precarious work. We took a nested approach to sampling: all interview participants came from the sub-sample of survey respondents recruited through the RDS component of the worker survey. Out of the 244 participants in the RDS, 168 (68.9%) had responded in the survey that they would be happy to be recontacted for participation in follow-up qualitative research.

As we could not anticipate the response rate to subsequent contacts, we decided to sample this pool of participants sequentially. At first, we selected 70 participants, where our selection criteria (1)

²⁸ From an analytical perspective, we eventually sought to include a minority of people who had not reported in the survey experiencing any of the categories of issues in focus over the past two years, to enable insights into how their working lives and perceptions varied from those who had.

included participants having reported at least one work-related issue and (2) oversampled those who reported financial or health-related harms (which were more likely to cluster with and thus produced a higher number of overall issues they could discuss in an interview). From this first group, we ended up with 29 people who, in principle, agreed to an interview.

Due to the limited take-up among participants, we broadened our selection criteria and invited an additional 52 people to take part. This time, we used a much more purposive approach. We invited anyone who (1) reported any issue; or (2) worked in the construction sector; or (3) were from Wales or Scotland²⁹; or (4) were agency workers. These were selected based on the emerging sample characteristics already achieved from the first wave of contacts. From this second group, we ended up with 18 people who expressed interest in taking part in an interview. Overall, we invited 122 participants, or 72.6% of those who had originally indicated interest in taking part in the follow-up qualitative research.

Verian approached these 122 potential participants selected by us as two consecutive batches of 70 and 52 respectively, to share more information about the proposed interviews and get a formal confirmation that they were happy for their contact details to be shared with us. Of that 122, upon further reflection, 47 (38.5%) agreed for their contact details to be passed on to our research team. Of the 47, whom we were thus able to contact to try to arrange an interview, just over half (n=24) ended up doing an interview (or 19.7% of the participants Verian reached out to). Attrition at this final stage was largely down to non-response: 17 of the 23 who did not take part were unresponsive after three attempts at contact, whilst six were initially responsive but then withdrew, for a combination of reasons including personal circumstances and changing one's mind about being comfortable doing research in an interview rather than survey format.

Final sample

Table 3.4 provides an individual level breakdown on certain characteristics (for a sample summary in the aggregate, see Appendix E). At the time of interview, participants worked across a wide range of industries and occupations (see Table 3.4). There were only a few current jobs common to multiple participants: namely working as a nurse (n=3), cleaner (n=2) or barista (n=2). That said, many had previously worked in other industries and drew also on these experiences in the interviews (e.g. a beautician who had previously worked in social care, a cleaner who had worked in manufacturing and social care before). Participants' current jobs were all located in England, despite our additional attempts to recruit from Northern Ireland, Scotland and Wales. The pool of potential recruits was far smaller for these nations, and we were unable to secure such interviews.

²⁹ We would have invited additional participants from Northern Ireland as well, but either (1) they have already been invited in the first round or (2) did not want to take part based on their survey response.

Table 3.4: Brief individual-level overview of interview participants

Pseudonym	Gender	Age group	Ethnicity	UK born	Current job(s)
Af	Male	18-24	Asian	Yes	Customer service representative
Amber	Female	65 and over	White	Yes	Two jobs: company secretary and housekeeping team leader
Anwar	Male	55-59	Asian	No	Private hire car driver
Carlos	Male	60-64	White	Yes	Dog walker and boarder
Cleo	Female	18-24	White	Yes	Remote digital piece work doing quality assurance for AI bots
Daisy	Female	25-29	White	Yes	Cleaner in a nursery
David	Male	35-39	White	No	Sweets manufacturer
Donna	Female	65 and over	White	Yes	Cleaner in a factory
Grace	Female	50-54	White	Yes	Sales assistant in a shop
Hannah	Female	18-24	Asian	Yes	Freelance beautician
Jake	Male	35-39	White	Yes	Two jobs: primary school teacher, and ad hoc agency work in promotions
Lynne	Female	35-39	Asian	No	Nurse
Maria	Female	35-39	Asian	No	Nurse
Mundy	Male	18-24	Asian	Yes	Barista
Nicky	Female	35-39	Asian	No	Nurse
Rex	Male	30-34	White	Yes	Plumber and mechanical engineer
Robert	Male	55-59	Mixed/multiple	Yes	Freelance musician and music tutor
Sally	Female	18-24	Mixed/multiple	Yes	Activities coordinator in a care home
Sam	Female	55-59	White	Yes	Support worker in health and social care
Scarlet	Female	18-24	White	Yes	Barista and bartender

Pseudonym	Gender	Age group	Ethnicity	UK born	Current job(s)
Spencer	Female	40-44	White	Yes	Parish clerk
Tania	Female	35-39	White	Yes	Office administrator
Venus	Male	45-49	Black	Yes	Two jobs: IT consultant and director of own company
William	Male	60-64	White	Yes	HGV driver and road haulage contractor

Interview guide

In line with the aim for broad, holistic coverage of issues, we designed the interview guide to explore *all* the main categories of labour market non-compliance and other work-based harms covered in the survey, situated within people's broader working lives. We focused primarily on current or most recent jobs but also asked participants to reflect back as far as they felt useful and relevant.

We therefore developed a broad template of a semi-structured interview guide that could be tailored to each participant's circumstances and prior survey answers (see outline below and Appendix F for a full copy). We adapted it for each interview individually beforehand, as well as also asking some of the same broad questions of everyone³⁰. We refined the interview guide based on expert feedback and in situ experiences in a pilot with three workers: who were broadly from a similar target audience, recruited via our personal networks and not part of the final sample.

The interview guide covered the following areas:

- Introductory section
- Contextual questions about current (and/or recent) job(s)
- Working trajectory
- Financial harms
- Leave-related difficulties
- Payslips and contracts
- Discrimination
- Bullying and harassment, and verbal and physical abuse
- Workplace health (physical and mental, and any health-related concerns)
- Attempts to address issues (general questions, in addition to specific ones within previous sections when such issues were discussed)
- Looking to the future

³⁰ As is standard in semi-structured interviews, there was also flexibility in the order and structure of the interview itself, reflecting what participants chose to bring up and when. There was also flexibility in contents, in that some included more extensive discussions of previous jobs, whereas others tended to focus more on current jobs. Here, we were led by what participants saw as relevant and were comfortable sharing, probing gently as relevant.

- Closing section

All participants bar one had given survey answers indicating that over the preceding two years they had experienced at least one category of potential violations in focus for this project³¹ (with a maximum in this sample of five issues mentioned and the median of two). We explored the different categories of violations in more depth in the interviews, as well as asking about other issues that had not featured in their survey answers. In interview, it became clear that another also had only experienced violations in the past, meaning there were two people in total to whom this absence of recent issues applied.

Data collection

The interviews took place between May and July 2025. Depending on participants' preference and technology access, they were either done via Microsoft Teams (n=13), WhatsApp video call (n=5), regular phone call (n=2), or face-to-face (n=4). The main parts of the interviews lasted 71 minutes on average. That excludes introductions, reiteration of key ethical points and any questions before starting. The duration of the main interview section ranged between 37 and 114 minutes and five were an hour and a half or longer. Participants were compensated for their time and expertise with £60 each (mostly as a voucher of their choice, but also cash and electronic payments). All interviews were recorded and professionally transcribed verbatim.

Analysis

We then analysed the transcripts using reflexive thematic analysis (Braun & Clarke, 2006, 2019; Clarke & Braun, 2021): a flexible, iterative approach to qualitative data analysis that is designed to identify common themes across a dataset³². The transcripts were double-coded using an iterative inductive approach (O'Reilly, 2025) by two team members working independently, who then met to discuss their codes and the analysis in detail, agreeing the final set of themes collaboratively. Fully anonymised direct quotes are used both to substantiate the themes in the interview-focused chapters (Chapter 9 and Chapter 10). Where necessary to protect confidentiality, additional potentially identifying information has been redacted (e.g. place names, company names).

³¹ Namely, issues with payslips, contracts or key information documents, NMW violations, unfair deductions, unpaid extra work, work-related physical injury (own or co-worker), work-related negative mental health issue (own or co-workers), and bullying or harassment.

³² We took an iterative inductive (bottom-up) approach to analysis, focused on the semantic level (what was said), and drew on theoretical perspectives around precarity, intersectionality, work-based harms and the structures of the labour market. An iterative inductive approach reflects the prioritisation of being inductive (open-minded, bottom-up, learning from the field), and recognition that as we analyse inductively, we also draw deductively on existing theories and concepts to make sense of the data.

Focus groups with workers

This section covers in turn the sampling for the focus groups, final sample, interview guide, data collection, and analysis.

Sampling

Like the interviews, the direction of the focus groups was closely informed by consultation with our project advisory groups and the ODLME team. The cross-cutting topic of worker organising and worker voice was a clear priority, especially in light of striking interim survey findings related to trade unions and staff associations (see Chapter 11) and the changing policy environment around workers' rights and their enforcement (see Chapter 1). Consequently, it was agreed that the focus groups would zoom in on workers' perspectives on trade unions and staff associations and also allow space for discussion of other forms of worker voice and support for workers. As with the interviews, we sought to recruit for diversity – both in terms of personal and job-related characteristics. The alternative, focusing on a particular industry or demographic, would have limited the broader applicability to the then ODLME's cross-cutting remit (which the Fair Work Agency now has).

Across all six groups, participants needed to meet some overarching criteria (reflecting a focus on the lower-paid end of the labour market):

- Be adults (18 years and over)
- Have done paid work in the last two years
- Currently be an employee or non-traditional worker³³
- Have a personal yearly earning of £36,000 or less (including all or only jobs, pre-tax and including bonuses) (i.e. at or under the approximate median for UK workers in March 2025).

Beyond that, the guiding principle for sampling was to have coherence on worker-organisation-related matters *within* groups, but diversity *between* groups across these dimensions. The rationale here was to try and tease out differences and similarities between attitudes and experiences depending on (1) trade unions versus staff association (2) whether individuals are members or not, and (3) whether or not their workplaces are organised (have trade union recognition and/or staff associations in place). We also had a boost for both non-traditional workers (Group 6) and for employees working in places without trade union presence (Group 5). The six groups were structured as follows, whereby the criteria related to their only job, or main job if they had multiple jobs:

1. Trade union members
2. Staff association members
3. Non-members of trade unions, working in places where there is trade union presence
4. Non-members of staff associations, working in places where there is a staff association
5. Non-members of trade unions, working in places where there is not trade union presence.
All to be employees (full or part time)
6. Non-members of trade unions and all non-traditional workers

³³ Operationalised as being self-employed, on government training schemes, apprentices, agency workers, and those in the gig or platform economy, broadly defined.

Having this common positioning as members/non-members was designed to give each group coherence and encourage open discussion on potentially sensitive topics. Aside from that (and the common inclusion criteria listed previously), we were aiming for diversity across the overall focus group sample (and, to the greatest extent possible, within each group) on several other characteristics: industries, age, gender, ethnicity, UK regions, educational qualifications, and migration status.

Recruitment for the groups was conducted by Acumen Fieldwork. For further details regarding the pre-task questionnaire used, the sampling and sample characteristics in the aggregate, please refer to Appendices G, H and I.

Sample

Our eventual sample was 50 people in total, split across seven to nine participants per group, as follows:

1. Trade union members (n=9)
2. Staff association members (n=7)
3. Non-members of trade unions, working in places where there is trade union presence (n=8)
4. Non-members of staff associations, working in places where there is a staff association (n=9)
5. Non-members of trade unions, working in places where there is not trade union presence. All to be employees (full or part time) (n=8)
6. Non-members of trade unions and all non-traditional workers (n=9)

Participants worked across a wide range of different jobs and industries at the time of the interviews (see Appendix J for an individual-level breakdown). Around a third had multiple jobs.

Focus group guide

We designed the focus group guide to cover general introductions, the project and ground rules for the group, a semi-structured discussion around general attitudes to trade unions and staff associations (with space for participants to bring in their own experiences should they want to), and a second semi-structured discussion focusing this time on reactions to and interpretations of our preliminary survey findings about factors associated with the likelihood of individuals being members of trade unions and/or staff associations (e.g. industry, workplace size, permanence etc).

Broadly speaking, the focus group guide covered the following areas (see Appendix K for the full guide):

- Welcome, introductions and ground rules
- Part 1: Largely open questions around general attitudes to trade unions and staff associations (e.g. what do these concepts mean to you, reasons for joining or not, impacts on working conditions), also with an open question about other sources of worker voice and worker support.
- Part 2: Presentation of survey findings on factors particularly associated with individual membership of trade unions/staff associations, with prompts for reactions to the findings and discussion of reasons for differential membership rates.

We deliberately structured the sessions to lead with general discussion and only afterwards introduce our specific survey findings. That was to avoid priming or otherwise influencing participants with our own results. While the two-stage approach was fixed, there was some flexibility on the day within the two sections, depending what participants brought up and when and which topics they had the most to say about. The focus of discussions also varied somewhat depending on the nature of the group in question: for example, we spent longer on questions around staff associations with groups who had exposure to them at their own workplace (and thus more to say on the matter) than with other groups, in which participants often had limited exposure to and views on staff associations. Overall, we were led by how much and what participants were comfortable sharing, following up gently as relevant but trying to avoid putting individuals on the spot or pushing them to contribute more than they wanted to.

Data collection

To facilitate broad regional participation within the available time and budget, focus groups all took place online (via Microsoft Teams). They were held in the evenings (6.30-8.30pm) through September 2025 into early October 2025 and lasted roughly two hours each. Participants were compensated for their time and expertise with £62 each, which covered both the focus group participation and completing a brief survey task beforehand (involving a few select questions from the Working Lives Survey – see Appendix G). Payments were made as bank transfers by Acumen Fieldwork. The groups were all recorded and then professionally transcribed verbatim.

Analysis

As with the interviews, we used reflexive thematic analysis to code the data and identify common themes (following the same process detailed earlier in this chapter). As with the interviews, we use anonymised direct quotes to illustrate results, with additional redactions for confidentiality as needed.

Ethics

The full project was conducted in line with the Social Research Association Research Ethics Guidance (Social Research Association, 2021) and all data was handled in accordance with the GDPR. Precarious workers are not specifically defined as a ‘vulnerable population’ in research terms, and they make up a sizeable minority of the UK labour market (14.3% as of 2023-2024) and population at large (around 7% in the same two-year period). Yet, precarious work relates to insecurity, uncertainty and low pay, and labour market non-compliance and other work-based harms are broad and diverse categories (see Chapter 2). Due to the sampling design, we were not anticipating encountering those at the sharpest end of the spectrum (e.g. victims/survivors of human trafficking) (see Chapter 1).

Nevertheless, we recognised that our target population would likely include people who are marginalised in various intersecting ways (e.g. gender, ethnicity, migration status etc.) and we anticipated that the lived experiences disclosed might be distressing (as indeed materialised in some interviews, for example with discussion of sexual harassment, bullying and racist abuse). Accordingly, we determined upfront that precarious workers were a group with whom additional care would be needed. We saw that as being particularly true of the qualitative parts of the research – where we would have direct contact with participants and access to some personal data (e.g. email addresses) and participants might share detailed experiences of sensitive and/or distressing issues.

Although all elements of data collection were reviewed and approved by UCL Research Ethics Committees, the levels of scrutiny varied depending on the particular strand and anticipated risks involved and mitigations needed. Thus, the interviews and focus groups went through ‘high risk’ review and approval from the UCL Humanities, Arts and Sciences Research Ethics Committee review (reference: 5160/004), during which draft project information sheets, consent forms and topic guides were also scrutinised. The survey question testing, analysis of existing Understanding Society Survey data, and the survey itself (including its pilot) underwent ‘low risk’ UCL Research Ethics Committee review (respective references: ID 428; ID 429; ID 528). Consultation with precarious workers as an advisory group was granted an ethics exemption by UCL, on the basis that this group was organised and facilitated by Focus on Labour Exploitation, the research team had no access to participants’ personal information, and the groups were not about participants’ personal experiences.

In addition, Verian carried out their own internal process, as the data controllers for the worker survey. Similarly, the recruitment for the focus groups via Acumen Fieldwork (for which they were the data controller for contact details and payment purposes) proceeded in line with their professional codes of ethics and practice³⁴.

All research participants all received a thank you letter afterwards, directly from us or via the relevant intermediary (Verian or Acumen Fieldwork). These letters included information on services they could contact in case the participation had raised issues with which they might want additional support. The services signposted included Acas, Citizens Advice, Samaritans and (just in case) the Modern Slavery & Exploitation Helpline. At the end of the survey and interviews many people noted that they had found the experience useful and/or enjoyable, which also speaks positively to the avoidance of harm.

We set the rates for remuneration in consultation with the ODLME, Verian, Understanding Society and Focus on Labour Exploitation. The original rates were approved as part of the ethical review process. They were subsequently modified upwards (although in keeping with the approved principles) in consultation with the ODLME, Verian and Acumen Fieldwork³⁵. Rates varied for the different components, based on anticipated participation time and norms for that particular mode of participation and our aim was to ensure they were well above NMW rates – to respect participants’ time, expertise and the labour involved in research participation – but not so high as to constitute undue pressure to take part (for further discussion of the importance of payment of precarious research participants from both a data quality and moral perspective see, e.g., Camilleri et al., 2025).

³⁴ Including the codes of conduct of the Market Research Society and BHIA and Acumen’s own safeguarding policies.

³⁵ We originally set the rates at £10 per survey (£5 for successful onward referral), £50 per individual interview and £40 per focus group. All three were revised upwards (in agreement with the ODLME) due to inflation, rising cost of living, increases to the anticipated interview length and advice from Verian and Acumen Fieldwork that the original rates were too low. The eventual rates were still within a similar ballpark approved by the relevant ethics committees but rose to £12 per survey (£6 for onward referral) for Understanding Society (remaining at £10 for Public Voice due to different survey norms), £60 per individual interview and £62 for focus groups (including a two hour focus group and short survey as a pre-group task).

Project advisory groups

Given the complexities of labour market non-compliance and its enforcement, we designed the project to involve close consultation with stakeholders with relevant and complementary experience and expertise at key points. We benefitted greatly from the careful input and advice of our six project advisory groups (see also Pósch et al., 2024), who can be broadly grouped as follows:

1. People in precarious work
2. Legal experts
3. Policy makers and operational staff
4. Worker representatives (including trade unions and NGOs)
5. Employers and employer representatives
6. Academics specialising in labour market exploitation

The precarious workers advisory group was convened and facilitated by Focus on Labour Exploitation (FLEX), an NGO with extensive experience in consultative, collaborative and co-produced research into labour exploitation and with marginalised populations. In line with the ethical principles underpinning this research, this group all received £40 each per advisory group participation. Options for a thank you gesture (also worth £40) were also offered to some other groups as appropriate³⁶.

We consulted with the advisory groups at four main stages³⁷: 1) survey conceptualisation (in Jun-Aug 2022); 2) survey operationalisation (in Sep-Dec 2022); 3) using interim survey findings to help determine the focus for the qualitative research (in Apr 2025); and 4) reflecting on overall project results and getting feedback on potential recommendations (in Nov-Dec 2025). Each group lasted around two hours, and we also received written feedback at various points. We are indebted to their support and provide further details about the make-up of these groups in the Acknowledgements.

Additional materials

Further details of the data collection and sampling, the associated fieldwork materials, and more information regarding the analysis are available on request. Additional materials will also be archived on the UK Data Service in due course, together with the data generated through the project (in Q4 2027, following additional review and safeguards).

³⁶ Here we needed to balance overall budget, logistics and considerations of who might and might not appreciate or be able to take payment. We recognised that members of some groups were in organisations operating on tight budgets with limited capacity, and some were taking part outside what could be considered part of their broader service in a role. Consequently, we agreed in consultation with the ODLME team also to offer a thank you payment to members of the worker representatives' and employers and employer representatives' groups. Here, we offered a choice between a direct payment, a donation to a relevant charity of their choice, or to waive the payment.

³⁷ The policy maker and operational staff group had two core components: a standard advisory group, with whom we met four times; and the ODLME-convened 'Technical Advisory Group', with whom we met roughly 2-4 times a year.

Chapter 4: Financial Harms

Chapter summary

This chapter examines three types of financial harm, in line with the findings of the Working Lives Survey: unfair deductions, violations of the National Minimum Wage/National Living Wage (NMW/NLW), and unpaid extra hours of work. Financial harms are an extremely pressing issue that can have serious and directly quantifiable consequences for workers and their families. They are particularly important to consider, given that a substantial proportion of working-age adults in poverty live in a household where at least one adult is in work, and a significant share of the UK workforce are paid below the Real Living Wage. The measurement of each of the three financial-harm-related constructs was challenging: unfair deductions were measured by the source, frequency, and monetary cost associated with each type of deduction; NMW violations were calculated using self-reported gross income, with adjustments for regular unfair deductions and respondents' review and verification; and unpaid extra hours of work were captured by asking participants about time spent doing unpaid work-related activities on a regular basis. We found evidence that unfair deductions and NMW violations were much more common among precarious workers, who were more than twice as likely to be affected as those in the full workforce. Unpaid work was the most common financial harm reported, affecting around one-third of workers in the full workforce and of precarious workers alike. For each financial harm, we looked beyond their prevalence, to estimate the monetary impact and scale of each.

Financial Harms – An Introduction

Seeking to prevent and mitigate financial harms to workers has long been a priority for UK labour market enforcement strategy and practice and will continue to be so for the new Fair Work Agency (FWA), with additional enforcement powers (most notably around holiday pay). To date, however, enforcement has been uneven: only certain aspects are enforced by the State, and many others are left for individuals to enforce through the tribunal system (Pósch et al, 2024). To date, state enforcement regarding financial harms has been largely limited to National Minimum Wage/National Living Wage violations (hereafter simply NMW violations for brevity), plus certain breaches against agency workers in particular. Thus, unfair deductions and unpaid extra hours only come into focus for HMRC-led enforcement where they result in NMW violations. In contrast, certain unfair deductions against agency workers can be pursued by the Employment Agency Standards Inspectorate (EAS) irrespective of whether they cause a worker to be underpaid on NMW (e.g. charging unlawful work-finding fees), although in practice the EAS is sorely under-resourced (Pósch et al, 2024).

For more details on enforcement, please see the next section (Legal context), but a key point to note here is that there is little in the way of legal protection for unpaid extra hours at present, other than for hourly-paid workers (see also Chapter 12). Individual-level enforcement against financial harms plays out through the Employment Tribunal system, in which unauthorised deductions from wages are one of the four most common grounds for claims (Ministry of Justice, 2025). NMW violations are challenging to calculate and the current best available estimates come from the Low Pay Commission (LPC). Using official statistics from the Annual Survey of Hours and Earnings (ASHE), the LPC (2024, p.4) concluded in its most recent estimate of NMW underpayment that:

“in total around 371,000 workers may have been underpaid in April 2024. This marks a slight increase on the previous year, but is still below the pre-pandemic period. It also comes in the context of overall minimum wage coverage jumping between 2023 and 2024, from 1.5m to

1.9m. This means that numbers underpaid as a share of coverage – a measure we often use to think about the relative probability of low-paid workers being underpaid – in fact fell in the latest data. The characteristics of underpaid workers have shifted since 2019. Most underpayment now affects salaried workers, and there are more full-time workers underpaid than part-time ones. The number of underpaid workers in non low-paying sectors has risen by nearly 40 per cent since 2019.”

More broadly, in-work poverty is a persistent and growing concern in the UK, with knock-on implications for child poverty in particular and for state welfare spending in general (JRF, 2026a). According to an analysis from the Joseph Rowntree Foundation, an estimated 12% of all UK workers are in poverty and “around two-thirds of working-age adults in poverty actually lived in a household where someone was in work” (JRF, 2026a, p.14). The risk of in-work poverty varies by (often inter-related) factors including worker demographics and type of work. For example, workers of Bangladeshi, Black and Pakistani heritage are particularly over-represented in low-paid work (JRF, 2026b), as are women (e.g. Living Wage Foundation, 2024), and the overall poverty rate is nearly three times as high for part-time than for full-time employees (22% vs. 8%), and even higher for part-time self-employed workers (28%) (JRF, 2026a). Moreover, the Living Wage Foundation has long stressed the gap between the statutory minimum wage and the ‘real Living Wage’, i.e. what people actually need to get by, which is calculated independently annually, has a different rate for London (due to higher costs there) and to which employers can subscribe voluntarily (see, e.g., Cominetti & Murphy, 2025). In April 2024, an estimated 16% of jobs in the UK paid below the real Living Wage, with Northern Ireland especially affected (Living Wage Foundation, 2025). Finally, let us note here that theft through unpaid holiday pay can also be considered a financial harm, but we deal with that separately in the Chapter 5 (due to the nature and limits of the survey measurement around leave-related difficulties).

Legal context

The National Minimum Wage (NMW) (also known as the National Living Wage for over 21s) is the minimum hourly rate of pay employers must pay to workers. The current rate (from 1st April 2026 until 31st March 2027) is £12.71 for people aged 21 and over, £10.85 for 18-20 year olds, and £8 for under 18s and apprentices. In addition to paying the NMW, employers have obligations relating to record keeping.³⁸

The NMW becomes payable when an individual is no longer of compulsory school age (16 years old). A person qualifies for the NMW if they are a ‘worker’ under section 54 (3) of the National Minimum Wage Act 1998, capturing employees and ‘limb (b)’ workers. Agency workers also fall within the scope of the Act as, under section 34, they must be paid the NMW by whichever of the end user or agency is either contractually or practically responsible for payment. Certain exclusions apply to the NMW, including share fishermen, prisoners, and immigration detainees.³⁹ Despite the absence of a statutory provision explicitly excluding undocumented migrants from the NMW, the illegality of the work by virtue of immigration legislation has defeated legal claims for non-payment,⁴⁰ and means that HMRC will not enforce NMW rights for undocumented migrants.⁴¹

³⁸ National Minimum Wage Act 1998, sections 9-12.

³⁹ NMWA 1998, sections 43-45B. Regarding immigration detainees, the Court of Appeal in *R (Badmus) v. Secretary of State for the Home Department* [2020] EWCA Civ. 657 held that a rate of £1 an hour was lawful.

⁴⁰ *Blue Chip Trading Ltd v Helbawi* [2009] IRLR 128

⁴¹ HMRC internal manual: National Minimum Wage Manual (2026), section NMWM06190.

The NMW is calculated by dividing the remuneration received in the pay reference period by the number of hours worked during the pay reference period.⁴² A pay reference period is a month, or if the worker is paid wages by reference to a shorter period (e.g. a week), then that period.⁴³ Remuneration for NMW purposes is pay minus deductions made.⁴⁴ The hours of work in the pay reference period are calculated in different ways according to whether the work is salaried hours work, time work, output work, or unmeasured work.⁴⁵

Not all elements of pay or deductions are included in the NMW purposes, nor is every single minute spent 'at work', in colloquial terms, included in the statutory calculation of the NMW. Pay for NMW purposes principally refers to basic pay, as well as certain payments like bonuses and commissions. Some payments are excluded in calculating the pay received for NMW purposes. Tips, service charges and gratuities are excluded and must be paid additionally to the minimum hourly rate, meaning that an employer cannot use them to meet its NMW obligations.⁴⁶ Similarly, mileage receipts cannot be used to 'top-up' basic pay to the hourly rate.⁴⁷ Payments by the employer for travel expenses that an employee is obliged to incur and pay and are attributable to their necessary attendance at a temporary workplace do not count as pay for NMW purposes.⁴⁸

Generally speaking, deductions from wages cannot bring a workers' remuneration below the NMW. Deductions made by the employer for its own use and benefit, and deductions in respect of the worker's expenditure in connection with the employment, e.g. for tools, certain travel costs or uniform, are included in the calculation.⁴⁹ Employers must ensure that these deductions do not reduce workers' pay below the NMW rate. Some deductions are excluded from the NMW calculation and can be lawfully made without breaching the NMW, even if the net pay received falls below the NMW hourly rate after the deductions are taken into account. Deductions for overpayment of wages, and for damage to employer property caused by the worker that the worker is contractually liable for, do not count towards the NMW calculation.⁵⁰ Deductions can also be made for the cost of providing workers with accommodation (which can be common in the agricultural industry) up to a maximum of (currently) £11.10 a day.⁵¹ The accommodation offset does not count in the NMW calculation.

The second element of the formula is to determine what time counts as 'working time' for NMW purposes. There are four categories of working time. Salaried hours work is where the individual is paid an annual salary corresponding to their basic hours, that they are entitled to receive in equal instalments (usually monthly or weekly), regardless of the actual hours worked in that period.⁵² Time work constitutes work paid by reference to a set or varying period of time, typically hourly.⁵³ Output

⁴² NMWR 2015, regulation 7.

⁴³ NMWR 2015, regulation 6.

⁴⁴ NMWR 2015, regulation 8.

⁴⁵ NMWR 2015, regulation 17.

⁴⁶ NMWR 2015, regulation 10(m)

⁴⁷ NMWR 2015, regulation 10(l). *C & D DH Ltd t/a Elite Homecarers v Commissioners for HM Revenue and Customs* EATS 0039/12.

⁴⁸ NMWR 2015, regulation 10(n).

⁴⁹ NMWR 2015, regulations 12-13.

⁵⁰ NMWR 2015, regulation 12.

⁵¹ NMWR 2015, regulation 16.

⁵² NMWR 2015, regulation 21.

⁵³ NMWR 2015, regulation 30.

work is defined as work paid for by reference to the amount of work done, such as ‘piece work’.⁵⁴ Finally, ‘unmeasured work’ is a residual category commonly applicable where the worker does not have fixed hours.⁵⁵ In these circumstances, employers and workers may agree to a ‘daily average agreement’ specifying a reasonable estimate of the average daily number of hours the worker is likely to spend working, where the worker is available to work for the full amount of time contemplated by the contract.⁵⁶

Time a worker spends training, when the worker would otherwise be working, is included as working time for salaried hours work,⁵⁷ time work,⁵⁸ output work,⁵⁹ and unmeasured work.⁶⁰ Salaried hours work and time work include hours a worker spends travelling for the purposes of working, when the worker would otherwise be working, unless the travel is between their home, or a place they are temporarily residing other than for the purposes of working, and their workplace or a place where an assignment is carried out.⁶¹ Time that the person would otherwise be working includes hours when the worker is travelling to carry out work assignments at different places between which they must travel, and are not places occupied by the employer.⁶² For output work, time spent travelling for the purposes of output work is included as working hours unless the travel is between the worker’s home or temporary residence and their place of work, or premises at which they report (except where they perform output work at home or a temporary residence).⁶³ For unmeasured work, hours spent travelling for the purposes of unmeasured work are counted in the NMW calculation.⁶⁴

Salaried hours work and time work also include time a worker is available at or near a place of work for the purposes of working, unless the worker is at home. This includes activities like queuing for security checks, opening or locking up, and donning and doffing their work equipment at the start and end of the shift. Time spent ‘on-call’ is also included, subject to the exceptions where the worker is at home, or they are asleep in circumstances where they are required to sleep at or near a place of work and the employer provides suitable facilities for sleeping.⁶⁵

Time spent undertaking industrial action is not included as working time for NMW purposes.⁶⁶ Time work does not include time spent taking a rest break.⁶⁷ On the other hand, for salaried hours work, hours of absence from work (including rest breaks and holidays), where the worker is paid normal pay during the period of absence, do count in the NMW calculation. It should be noted that, outside of the NMW protections, there is little protection for workers being required to engage in unpaid labour.

⁵⁴ NMWR 2015, regulation 26.

⁵⁵ NMWR 2015, regulation 44.

⁵⁶ NMWR 2015, regulation 49.

⁵⁷ NMWR 2015, regulation 27.

⁵⁸ NMWR 2015, regulation 33.

⁵⁹ NMWR 2015, regulation 38.

⁶⁰ NMWR 2015 regulation 46.

⁶¹ NMWR 2015, regulations 27(1) and 34(1).

⁶² NMWR 2015, regulations 27(2) and 34(2).

⁶³ NMWR 2015, regulation 39.

⁶⁴ NMWR 2015, regulation 47.

⁶⁵ NMWR 2015, regulations 27 and 32. On the issue of sleep-in shifts for care workers, see *Royal Mencap Society v Tomlinson-Blake* [2021] UKSC 8

⁶⁶ NMWR 2015, regulations 23(2), 26(2), 35(2), 40 and 48.

⁶⁷ NMWR 2015, regulation 35(3).

Dismissing employees for asserting their NMW rights is automatically unfair,⁶⁸ and enforced by bringing claims to the tribunal.⁶⁹ There are a wide range of state enforcement powers, such as issuing a notice of underpayment requiring an employer to pay arrears to the affected workers, as well as imposing a penalty, 'naming and shaming' non-compliant employers, and bringing criminal prosecutions against employers who 'refuse or wilfully neglect' to pay the NMW.⁷⁰ The main statement enforcement of NMW has been via HMRC NMW, although both the former GLAA and EAS had powers in this space too. The GLAA and EAS have already been absorbed into the FWA and no longer exist, HMRC NMW will continue to enforce NMW on the FWA's behalf through the transitional year of 2026-27, before being fully incorporated into the FWA.⁷¹ Enforcement in the Scottish and Northern Irish agricultural sectors is undertaken by the Agricultural Wages Board for Northern Ireland, and the Scottish Agricultural Wages Board.

There are wider protections for employees and 'limb (b) workers' against unfair deductions from wages outside of the NMW context. Under section 13 of the Employment Rights Act 1996 and article 47 of the Employment Rights Order (NI) 1996, a deduction can only be made where the employer has a statutory or contractual right to do so, or the worker's prior written consent. Employers can only rely on a contractual right if the relevant provision has been brought to the worker's attention.⁷² Payments receiving protection must constitute a 'wage' under section 27 of the ERA 1996 and article 59 of the ERO (NI) 1996. For example, 'any payment in respect of expenses incurred by the worker in carrying out his employment' is not defined as a wage and is excluded from protection. The line between wages and such expenses is not always easily identifiable.

There are additional protections in specific circumstances. The Employment (Allocation of Tips) Act 2023 requires that employers must not make deductions from tips, service charges or gratuities that they have 'control or significant influence' over. In the migration setting, employers cannot recoup immigration fees imposed on them through wage deductions (these restrictions came into force on 31st December 2024 for skilled worker visas, and 9th April 2025 for other work visas). Doing so can lead to their sponsorship licence being revoked by the Home Office. However, employers can agree with migrant workers to cover the fees imposed on them through a loan and recoup the loan later through wage deductions or clawback agreement.

Employment agencies and employment businesses are generally prohibited from charging work-finding fees. Doing so is a criminal offence under section 6 of the Employment Agencies Act 1973 and article 7 of The Employment (Miscellaneous Provisions) (Northern Ireland) Order 1981, enforced by the FWA (formerly EAS) and the Employment Agency Inspectorate respectively. There are limited exceptions for the entertainment, modelling and some creative industries.⁷³ Fees are still prohibited for these occupations if the employment agency or employment business is also charging the end-

⁶⁸ ERA 1996, section 104A; ERO (NI) 1996, article 135A.

⁶⁹ ERA 1996, section 111; ERO (NI) 1996, article 145.

⁷⁰ NMWA 1998, section 31.

⁷¹ Department for Business & Trade and Fair Work Agency, Strategic steer to the Fair Work Agency for the transitional year of operation. 2026.

⁷² ERA 1996, section 13(2); ERO (NI) 1996, article 47(2).

⁷³ The Conduct of Employment Agencies and Employment Businesses Regulations 2003, schedule 3; The Conduct of Employment Agencies and Employment Businesses Regulations (Northern Ireland) 2005 schedule 3

user recruitment fees,⁷⁴ and the agency must have informed the work-seeker of its connection to the hirer if there is a connection.⁷⁵ The ban on recruitment fees only applies to agencies registered in the UK. It does not apply to other agencies outside of the UK, even if sub-contracted by an agency in the UK. Associated services like travel, mandatory training, and equipment can be charged for by agencies. However, neither employment agencies nor employment businesses can make the provision of their services conditional upon the worker using other services for which fees are not prohibited or hiring or purchasing goods.⁷⁶

Textbox 4.1: Analytical primer to the results section

Analytical primer

The results are presented the following manner.

First, headline findings report the prevalence of the issues under investigation. These are presented as weighted proportions, averages, or medians.

Second, crosstabulations consider the relationship between pairs of variables. These describe how the main issues of interest differ/change depending on a set of influential variables.

Third, multivariate modelling in the form of regression models allows estimation of the partial association(s) between the labour market violation or work-based harm under scrutiny, and a set of potentially influential controls (that is, between the outcome variable and a set of explanatory variables). This helps us gauge whether the relationship(s) identified in the crosstabulations remain pertinent after accounting for a large set of factors. To aid the explanation of the multivariate modelling, crosstabs might be used to elucidate the findings. In each table for the multivariate regressions, the results are presented colour-coded and textually for easier accessibility. The colour green and the text 'sig. pos.' means a significant positive association; the colour blue and the text 'sig. neg.' means a significant negative association. Where an explanatory variable has multiple categories (e.g. job location) the colour orange and 'sig. diff.' indicates significant difference in outcomes across multiple categories of the independent variables.

Due to the high number of variables and associated statistical tests, we use the 1% ($p < 0.01$) significance level throughout the report. For further details regarding the analytical approach taken, please check the Methods chapter (Chapter 3).

⁷⁴ The Conduct of Employment Agencies and Employment Businesses Regulations 2003, regulation 26(3); The Conduct of Employment Agencies and Employment Businesses Regulations (Northern Ireland) 2005 regulation 26(3).

⁷⁵ The Conduct of Employment Agencies and Employment Businesses Regulations 2003, regulation 26(4); The Conduct of Employment Agencies and Employment Businesses Regulations (Northern Ireland) 2005 regulation 26(4).

⁷⁶ The Conduct of Employment Agencies and Employment Businesses Regulations 2003, regulation 5; The Conduct of Employment Agencies and Employment Businesses Regulations (Northern Ireland) 2005 regulation 5.

Headline findings

Unfair deductions

Our survey indicates that, in the past two years, more than one in ten (13.75%) workers in the full workforce, and more than one in five (21.89%) among precarious workers, were affected by unfair deductions (Table 4.1).

Table 4.1: Unfair deductions

Construct	Full workforce	Precarious workers
Unfair deductions	13.75%	21.89%

With regards to the sources of unfair deductions, the typical median number was one type of deduction per worker, both in the full workforce and among precarious workers. There were some statistically significant differences in certain categories, with precarious workers who were affected by unfair deductions significantly more likely to mention paying for materials needed for work (precarious workers: 40.41%; full workforce: 24.86%), insurance (precarious workers: 34.6%; full workforce: 25.48%), and website/platform/app fees (precarious workers: 26.9%; full workforce: 8.65%). In both groups, around one-third of workers with unfair deductions (precarious workers: 33.2%; full workforce: 32.25%) selected paying for fuel. In the full workforce, it was twice as likely that someone paid for travel provided by their employer (13.1%) compared to precarious workers (5.46%), among whom vehicle maintenance fees (precarious workers: 24.57%; full workforce: 17.2%) and paying for insurance (precarious workers: 34.6%; full workforce: 25.48%) were more common than among the full workforce. Some other sources had a similar scale in both populations, such as paying for a uniform (precarious workers: 22.66%; full workforce: 25.36%) or for PPE (precarious workers: 13.83%; full workforce: 12.99%) (Table 4.2).

Table 4.2: Sources of unfair deductions

Source	Full workforce	Precarious workers
Accommodation	11.08%	8.37%
Travel provided by employer	13.1%	5.46%
Personal protective equipment (PPE)	12.99%	13.83%
Uniform	25.36%	22.66%
Fuel	32.25%	33.2%
Vehicle maintenance fees	17.2%	24.57%
Tools for your work	22.77%	27.43%
Materials needed for work	24.86%	40.41%
Insurance	25.48%	34.6%
Website/platform/app fee	8.65%	26.9%
Other	14.57%	11.41%

In addition to the frequency of unfair deductions, we were also interested in their monetary cost for the individual. First, it is worth distinguishing between ongoing and one-off costs associated with each of the sources of unfair deductions. Fuel (full workforce: 92.78%; precarious workers: 95.0%), insurance (full workforce: 91.62%; precarious workers: 96.28%), and vehicle maintenance (full workforce: 89.15%; precarious workers: 90.64%) were the most commonly mentioned ongoing unfair deductions, with very similar proportions in both populations (Table 4.3).

Overall, precarious workers were more likely to report ongoing costs than the full workforce. This difference appeared in estimates for particular sources, with a significantly higher share of precarious workers reporting ongoing payments for travel provided by employer (full workforce: 67.4%; precarious workers: 89.97%), PPE (full workforce: 55.34%; precarious workers: 70.93%), tools (full workforce: 65.52%; precarious workers: 78.48%), materials (full workforce: 74.17%; precarious workers: 91.66%), and website/platform/app fees (full workforce: 79.75%; precarious workers: 96.32%) (Table 4.3).

Table 4.3: Proportion of unfair deductions with ongoing costs (among workers affected by unfair deductions)

Source	Full workforce	Precarious workers
Accommodation	81.95%	73.23%
Travel provided by employer	67.4%	89.97%
Personal protective equipment (PPE)	55.34%	70.93%
Uniform	49.52%	47.19%
Fuel	92.78%	95.0%
Vehicle maintenance fees	89.15%	90.64%
Tools for your work	65.52%	78.48%
Materials needed for work	74.17%	91.66%
Insurance	91.62%	96.28%
Website/platform/app fee	79.75%	96.32%
Other	87.01%	80.02%

Table 4.4 shows the value of the ongoing hourly cost for each particular type of unfair deduction, and the corresponding standard deviation in squared brackets. Simply put, these are the hourly deductions or losses imposed on those who reported having been affected by hourly costs due to particular types of unfair deductions⁷⁷.

In terms of hourly median costs across the different types of deductions, we did not find any significant differences between the full workforce and precarious workers, which suggests that the amounts they are asked to pay are very similar in magnitude. The most expensive cost mentioned was accommodation, which could reduce workers median hourly income by £2.31-2.89. Other sources that appeared the costliest were all travel-related: fuel (£0.58-0.75) and travel provided by the employer (£0.43-0.62), which were followed by vehicle maintenance fees (£0.29) and insurance

⁷⁷ In Table 4.4, we included the adjusted estimates which considered whether the participant decided to modify their hourly income in the national minimum wage section of the survey, and applied this adjustment accordingly (i.e. in case of an upward adjustment, we adjusted the unfair adjustment upward; in case of a downward adjustment, we adjusted it downward, based on the relative – proportional – change in the hourly income).

(£0.19-0.24). Other high frequency sources of deduction, such as materials (£0.06-0.12), tools (£0.12-0.13), and uniform (£0.05) did not appear very costly, at least on an ongoing hourly basis (Table 4.4).

Table 4.4: Hourly ongoing cost of unfair deductions in pounds typical (median) values (among workers affected by unfair deductions)

Source	Full workforce	Precarious workers
Accommodation	£2.31 [2.89]	£2.89 [4.59]
Travel provided by employer	£0.43 [0.83]	£0.62 [1.09]
Personal protective equipment (PPE)	£0.05 [0.42]	£0.05 [0.25]
Uniform	£0.05 [0.21]	£0.05 [0.11]
Fuel	£0.58 [3.79]	£0.75 [7.99]
Vehicle maintenance fees	£0.29 [0.59]	£0.29 [0.65]
Tools for your work	£0.12 [1.25]	£0.13 [0.94]
Materials needed for work	£0.06 [0.75]	£0.12 [0.77]
Insurance	£0.24 [1.54]	£0.19 [0.34]
Website/platform/app fee	£0.14 [1.25]	£0.11 [0.60]
Other	£0.17 [1.38]	£0.29 [1.95]
Overall Median	£0.24 [0.30]	£0.77 [1.52]

Alongside recurring expenses, we also asked whether there were any one-off expenditures that the workers needed to pay in each category. Due to the low number of cases in most categories, we could not derive credible significance estimates, and thus we cannot report on whether the differences in Table 4.5 are a result of systematic differences between the full workforce and precarious workers or are only due to random sampling variation⁷⁸.

Even if we cannot make comparisons between the two groups, we can observe which categories appear to cause the largest deduction. Vehicle maintenance fees seem to stand out with costs ranging from £500-850. This was followed by insurance (£155-500), tools (£125-500), accommodation (£100-330), and materials (£20-400). PPE (£40-100) and uniforms (£30-100) was the smallest deduction on the list (Table 4.5).

⁷⁸ Notably, unlike with ongoing deductions, one-off unfair deductions were not considered for the calculation of the hourly income of the worker; thus, we could not make any adjustments to the values reported here.

Table 4.5: One-off costs of unfair deductions typical (median) values (among workers affected by unfair deductions)

Source	Full workforce	Precarious workers
Accommodation	£330.00 [151.19]	£100.00 [212.79]
Travel provided by employer	£200.00 [1,080.73]	£55.00 [44.56]
Personal protective equipment (PPE)	£100.00 [115.48]	£40.00 [165.18]
Uniform	£100.00 [136.26]	£30.00 [48.23]
Fuel	£75.00 [249.46]	£75.00 [416.76]
Vehicle maintenance fees	£850.00 [693.85]	£500.00 [395.38]
Tools for your work	£125.00 [892.48]	£500.00 [2,509.63]
Materials needed for work	£20.00 [404.12]	£400.00 [1,051.99]
Insurance	£500.00 [641.95]	£155.00 [203.71]
Website/platform/app fee	£25.00 [230.76]	£290.00 [209.36]
Other	£87.50 [507.76]	£15.00 [423.27]

Looking at unfair deductions across the main covariates of interest, precarious workers were much more likely to report unfair deductions across the board; that is, within each category shown, precarious workers had higher rates of unfair deductions. Overall, being a non-traditional worker, with a non-permanent job, and working at a smaller workplace all seem to be associated with a greater probability of experiencing unfair deductions (Table 6). There were only a few exceptions where unfair deductions were more prevalent in the full workforce than among precarious workers: those in traditional work (full workforce: 12.28%; precarious workers: 6.29%); and those working at a larger workplace (full workforce 12.01%, precarious workers 11.34%).

Table 4.6: Unfair deductions and main covariates of interest

Category		Unfair deductions (overall)	
		Full workforce	Precarious workers
Sex	Female	13.19%	19.83%
	Male	14.14%	24.09%
Ethnicity and migration status	Not UK-born and/or ethnic minority	14.52%	19.74%
	UK-born White	13.19%	23.99%
Low income	No	13.98%	18.67%
	Yes	13.01%	22.21%
Non-traditional	Non-traditional worker	19.18%	24.24%
	Traditional worker	12.28%	6.29%
Job permanence	Not permanent job	18.96%	25.00%
	Permanent job	12.30%	13.91%
Small workplace	Not small workplace	12.01%	11.34%
	Small workplace	16.50%	25.15%
Trade union or staff association presence	No TU or SA presence	13.79%	22.59%
	TU or SA presence	13.71%	19.96%

This bivariate analysis can only take us so far, therefore we also fitted a multivariate model to the binary outcome variable of having been impacted by unfair deductions, or not (Table 4.7). The positive partial association between being a non-traditional worker and having been impacted by unfair deductions was the only significant one across all models. In simple terms, all else being equal, non-traditional workers experience higher rates of deductions perceived as unfair (which may or may not be illegal).

Turning to the multivariate analysis, in the full workforce, being on a low income, not having a job at the moment, being of Black or Mixed ethnicity instead of White were, all else being equal, characteristics associated with significant negative partial association with unfair deductions, while being disabled, working at a small workplace and having three or more dependants instead of none had a significant positive association (Table 4.7). Among precarious workers, holding all else constant, in the ‘baseline’ model, being working, middle- or upper-middle class instead of lower class had a significant positive association with unfair deductions, whilst in the ‘deluxe’ model, having two or more jobs instead of one reduced the probability of unfair deductions (Table 4.7).

The ‘deluxe’ model included the two other main sources of financial harms: unpaid work and national minimum wage violations. Controlling for all else, both of these variables had a significant positive association with unfair deductions, suggesting that unfair deductions at the workplace have an association with these other financial harms (or, to put it another way, someone who experiences one is more likely to experience the others).

Table 4.7: Binary logistic regression models for unfair deductions at the workplace

Variable	Unfair deductions	Unfair deductions	Unfair deductions	Unfair deductions
	Full workforce Baseline	Full workforce Deluxe	Precarious workers Baseline	Precarious workers Deluxe
Ethnicity	sig. diff.	sig. diff.		
Disability	sig. pos.	sig. pos.		
Dependants	sig. pos.	sig. pos.		
Occupational class			sig. pos.	
Low income	sig. neg.	sig. neg.		
Small workplace	sig. pos.	sig. pos.		
Non-traditional work	sig. pos.	sig. pos.	sig. pos.	sig. pos.

Variable	Unfair deductions	Unfair deductions	Unfair deductions	Unfair deductions
	Full workforce Baseline	Full workforce Deluxe	Precarious workers Baseline	Precarious workers Deluxe
Two or more jobs				sig. neg.
No current job	sig. neg.	sig. neg.		
National Minimum Wage Violation	NA	sig. pos.	NA	sig. pos.
Unpaid extra hours of work	NA	sig. pos.	NA	sig. pos.

As demonstrated in Table 4.4, we could not only quantify the presence or absence of unfair deductions, but also the scale of the ongoing costs creating losses for workers. Using these estimates, we fitted Poisson regression models (Table 4.8). The only cross-cutting partial association we found, was that having a permanent job reduced the amount of the ongoing unfair deduction that needed to be paid by the worker. However, all the other conditional associations only applied to either precarious workers or the full workforce.

In the full workforce, working at a small workplace, having a below A-level education instead of any higher level of education, and belonging to any ‘other’ ethnicity instead of being White, all significantly increased the amount of ongoing unfair deductions paid by the worker, controlling for all else. By contrast, being from a mixed-race instead of a White ethnic background reduced the loss due to ongoing unfair deductions, all else equal (Table 4.8).

Among precarious workers, there were significant differences across industries and regions (Table 4.8). Construction, ‘other’ industries, and transport had the highest ongoing unfair deductions and whereas financial services, info and communications, and social care had the lowest ongoing unfair deductions. When comparing regional differences, workers in Wales, the North East, and Scotland reported the highest ongoing unfair deductions, with precarious workers in the South East, East of England, and East Midlands having the smallest unfair deductions.

Considering the variables added to the ‘deluxe’ models, both the binary variable for NMW violation and unpaid extra hours of work had a positive partial association with unfair deductions in the full workforce and among precarious workers. This again speaks to the inter-related nature of financial harms in the data.

Table 4.8: Poisson regression models for unfair deductions at the workplace

Variable	Unfair deductions	Unfair deductions	Unfair deductions	Unfair deductions
	Full workforce Baseline	Full workforce Deluxe	Precarious workers Baseline	Precarious workers Deluxe
Education	sig. diff.	sig. diff.		
Ethnicity	sig. diff.	sig. diff.		
Permanent job	sig. neg.	sig. neg.	sig. neg.	sig. neg.
Small workplace	sig. pos.	sig. pos.		
Industry			sig. diff.	sig. diff.
Region			sig. diff.	sig. diff.
National Minimum Wage Violation	NA	sig. pos.	NA	sig. pos.
Unpaid extra hours of work	NA	sig. pos.	NA	sig. pos.

Textbox 4.2 provides two illustrative examples of people experiencing unfair deductions at the workplace.

Textbox 4.2: Narrative summaries and interview excerpts from survey respondents impacted by unfair deductions

S is a 29-year-old Arab female, working in the healthcare industry as a doctor at a large workplace in Greater London. She is disabled and has no dependants. In the past 2 years, she has started a new job for which she received a contract or key document ahead of the start. Both **S** and her coworkers are members of a union or staff association.

Based on an average of 48 hours of work per week – working across 5 days – she estimated her yearly income to be around £55,000. However, she has encountered issues with unfair deductions, particularly being asked to pay her workplace for a uniform (£50/yearly), tools for her work (£200/yearly), materials needed for her work (£50/yearly), insurance (£500/yearly), and a website, platform, or app fee (£600/yearly). Notably, she realised that some of these fees were probably excessive and adjusted her hourly rate from £16.4/hour to £18/hour.

S has encountered issues with unpaid work, particularly being asked to take part in compulsory training (20 hours yearly), queuing for security (5 hours yearly), essential work-related tasks before and after work (50 hours yearly), work-related travel (2 hours weekly daily), and covering for a colleague who is absent (5 hours weekly) without pay. Additionally, **S** has encountered issues with taking time off work, particularly annual leave, stating ‘unable to take leave on my selected days due to short staffing’ and training and education leave, stating ‘unable to go to training courses due to short staffing’. **S** also shared that, over the past 2 years, she experienced wrong pay and contract breaches at work.

When it comes to health and safety, **S** said that she did not experience bullying or harassment at work. Nevertheless, she has experienced issues with her mental health due to work and she has been worried about both her physical and mental health.

T is a 30-year-old Black female, working in ‘other’ industry as a hair stylist in a small workplace in Greater London. She has 2 dependants (both below 18) and doesn’t have a disability. In the past 2 years, she has started a new job for which she received a contract or key document ahead of the start.

Based on an average of 27 hours of work per week – working across 3 days – she estimated her monthly income to be around £1,300. She listed unfair deductions, particularly being asked to pay her workplace for personal protective equipment (£80/yearly) and tools for her work (£80/yearly). **T** has not encountered issues with payslips, unpaid work or taking time off work. **T** is not a member of a trade union or staff association and doesn’t know if her coworkers are.

When it comes to health and safety, neither **T** nor her coworkers have experienced any issues with their physical health. However, she has experienced issues with her mental health due to work, making her feel sad or down and have strong anxiety or worry; however, she could carry on working. Additionally, in the past 2 years, **T** has experienced bullying or harassment at least on one to two occasions by managers or supervisors. Overall, in the past 2 years, **T** has been worried about both her physical and mental health, particularly due to insufficient rest breaks, high-intensity work, and inadequate work-life balance.

National Minimum Wage Violation

Our measure for National Minimum Wage Violation (NMW violation from here onwards) relied entirely on the recollection of the individuals involved. We used the participants' income and any 'unfair' deductions they mentioned, and subtracted the latter from the former. Then, we showed participants their hourly rate and asked them whether they thought that this estimate was correct.

In the full workforce, around three-quarters (77.25%) said that they thought that the estimate was correct, and among precarious workers around two-thirds (66.04%) reckoned the same. Among the full workforce, 17.5% concluded that their estimate was probably too low, which increased to more than a quarter (27.46%) of precarious workers. Conversely, 6.35% of the full workforce found their estimate too high, and the same was true of 4.89% of precarious workers. We were concerned that those mentioning unfair deductions might make their hourly rate inadvertently too low or too high, but we did not find any significant difference between those reporting unfair deductions and those who did not, in whether they adjusted their earnings or not, either in the full workforce or among precarious workers.

Although our data collection spanned two financial years (starting in March, concluding in July 2025), we used the NMW rate for the 2024/2025 financial year (i.e. £11.44/hour for those aged 21 and over). We made the usual age- and status-based adjustments (i.e. for apprentices) when calculating the rate of violations, which meant that we adjusted the NMW threshold in a flexible manner depending on the respondents' characteristics.

We then estimated NMW violations in four different ways, listed here in order, from the most expansive to the most restrictive. First, we used the (adjusted) estimate provided by the respondent and, in addition, we deducted the number of unpaid hours they worked (if any), as it is against the law for unpaid work to bring someone below the NMW threshold. Second, we estimated NMW violations based on the (adjusted) estimate provided by the worker, without considering unpaid work. Here, we fully accepted what the worker told us without any further adjustments made to the hourly estimate. Third, we trimmed the hourly estimate and removed the most extreme 5% of the values, on the basis that these may be due to typos or (inevitable) carelessness in responding to the survey questions. Finally, we also imposed various arbitrary increases to the employees' income. We did this for two reasons: (1) we wanted to gauge the extent to which these results could be affected by the 'margin of error' of each person's recollection, or in other words, to assess the sensitivity/robustness of our estimates; and (2) to replicate the estimates of NMW violations found by the Low Pay Commission using the ASHE database. In particular, we used a 50p, £1.80, and £2 increases to each person's trimmed hourly income, further reducing the relative share of NMW violation in the respective populations.

Our results (Table 4.9) indicate that, among all workers, without any arbitrary increases implemented, NMW violation is between 5.39-9.94%, and among precarious workers it is between 6.64-11.28%. Among employees only (for whom the applicability of NMW legislation is the most obvious and easy to see)⁷⁹, the proportion of NMW violations in the full workforce amounted to 6.11-11.28%, and among precarious workers, it stood between 14.85-25.25% (Table 4.9). All in all, these results suggest that precarious employees are more than twice as likely to be affected by an NMW violation, no matter how

⁷⁹ As explained in the section 'Legal context', limb 'b' workers are also entitled to NMW, but it was impossible to identify within a survey who held this status, thus the most obvious distinction we can be confident in is that NMW violations do apply to employees. For those with other or undefined statuses, the picture is murkier.

it is estimated, compared to employees in the full workforce. Not surprisingly, these are statistically significant differences.

Table 4.9: National Minimum Wage (NMW) Violations among all workers and employees

Construct	Full workforce	Precarious workers
All workers		
National Minimum Wage Violation with unpaid extra hours also considered	9.94%	11.28%
National Minimum Wage Violation (i.e. without unpaid extra hours considered)	7.01%	8.96%
National Minimum Wage Violation trimmed (5%)	5.39%	6.64%
National Minimum Wage Violation trimmed and 50p added	3.86%	4.77%
National Minimum Wage Violation trimmed and £1.80 added	1.29%	2.42%
National Minimum Wage Violation trimmed and £2 added	1.12%	1.77%
Employees		
National Minimum Wage Violation with unpaid extra hours also considered	11.28%	25.25%
National Minimum Wage Violation (i.e. without unpaid extra hours considered)	7.96%	20.05%
National Minimum Wage Violation trimmed (5%)	6.11%	14.85%
National Minimum Wage Violation trimmed and 50p added	4.38%	10.68%
National Minimum Wage Violation trimmed and £1.80 added	1.47%	5.42%
National Minimum Wage Violation trimmed and £2 added	1.27%	3.95%

As a robustness check, we considered adding a fictitious salary increase to the hourly income reported by the respondents. For instance, had all respondents underestimated their income after deductions (and potential adjustment) by 50p, in the full workforce this would have resulted in an approximately 1.5 percentage point drop in NMW violations across all workers (to 3.86%) and an around 1.7 percentage point drop among employees (4.38%). The same adjustment resulted in a circa 1.9 percentage point reduction among all precarious workers (to 4.77%) and an almost 4.2 percentage point reduction among precarious employees (10.68%). Importantly, to reach the most recent estimates of the LPC for the scale of NMW violations among employees (2024: 1.3%; 2025: 1.5%), we would need to assume that the respondents were £2 (1.27%) and £1.8 (1.47%) off in their personal

estimates (Table 4.9). To emphasise how unlikely this £1.8 or £2 underestimation is, it is worth considering that this would mean an around 0.5-0.6 standard deviation increase in salaries in the full workforce, and a 0.8-1.0 standard deviation increase in salaries among precarious workers,⁸⁰ indicating a significant underestimation of income.

The above approaches showcase the various approaches one could take to estimate the proportion of NMW violation in the respective populations, but it does not speak to the correct or most reasonable estimate. We propose relying on a more conservative estimate that excludes unpaid extra hours of work and trims the responses by 5% to remove extreme values that are potentially present due to data entry errors and careless in responding. This is the estimate that we will be using in all subsequent modelling bivariate and multivariate modelling. Notably, this estimate is still more than four times higher than what the LPC last estimated.

We were not only concerned with the presence or absence of NMW violations, but also about the scale of them. The question here is: how far below the NMW threshold is the income of a worker typically (i.e. median) or on average (i.e. mean) when this worker has been affected by an NMW violation? For this analysis, we limited the estimation to employees, to ensure that we only include workers who would be affected by the NMW violation. We found that the typical (median) loss of affected employees in the full workforce was 78p per hour, with an average (mean) reduction of £1.13. Among precarious employees, the median impact was 66p and the average impact 96p but, as implied by the overlapping confidence intervals, these are not statistically significantly different from the estimates in the full workforce (Table 4.10).

Table 4.10: The scale of losses involved in NMW violations (for affected employees only)

Per hour worked	Full workforce	Precarious workers
Median	£-0.78	£-0.66
Mean	£-1.13	£-0.96
Confidence interval (95%)	£-1.3 - £-0.95	£-1.23 - £-0.68

To put this into context, we can calculate cumulative losses due to NMW violations among employees across a working year. In the full workforce, the mean number of hours worked a week among those who were affected by NMW violations was 31.32 hours, with a median of 30 hours. In the full workforce, taking the median loss, a worker who works the typical number of hours loses £23.40 each week. Taking the typical number of hours worked, but the average (mean) loss, this climbs to £33.90 each week. These are equivalent to annual figures of £1,216.80 and £1,762.80, respectively.

⁸⁰ These estimates are adjusted for the sample size and underlying distribution of each of the samples, to allow for direct comparability.

Among precarious workers, the mean weekly hours worked is 22.04 hours and the median is 25 hours. Taking the typical (median) estimate for both the weekly hours worked and the NMW violations, this means that a typical worker loses £16.5 a week; when using the mean hourly loss, this loss increases to £24 each week (these translate to yearly losses of £858 and £1,248.00 respectively).

These estimates are only looking at losses within a single job, and do not consider the potential cumulative effect of NMW violations occurring across multiple jobs in parallel.

As before, Table 4.11 shows how the proportion of people earning below the NMW threshold varies across our main covariates of interest. There are some patterns which transcend whether someone belongs to the full workforce or among precarious workers: female respondents, non-UK born and/or ethnic minority respondents, and low-income respondents seem to be much more exposed to NMW violations.

However, there are some significant differences between the full workforce and precarious workers. For instance, trade union or staff association presence do not seem to make much of difference in the full workforce (no TU or SA 6.65%, TU or SA presence 6.38%), but among precarious workers, it is associated with a much greater likelihood of experiencing an NMW violation (no TU or SA 5.82%, TU or SA presence 14.98%). The same pattern seems to be true when it comes to job permanence (permanent job full workforce 6.67%, precarious workers 20.31%) or being a traditional worker (traditional worker full workforce 7.34%, precarious workers 29.22%).

Table 4.11: NMW violations and main covariates of interest

Category		NMW violation	
		Full workforce	Precarious workers
Sex	Female	8.12%	10.02%
	Male	5.13%	6.32%
Ethnicity and migration status	Not UK-born and/or ethnic minority	7.61%	11.56%
	UK-born White	5.67%	4.78%
Low income	No	4.42%	1.78%
	Yes	13.29%	8.76%
Non-traditional	Non-traditional worker	3.36%	4.98%
	Traditional worker	7.34%	29.22%
Job permanence	Not permanent job	5.88%	3.44%
	Permanent job	6.67%	20.31%
Small workplace	Not small workplace	4.92%	11.36%
	Small workplace	8.99%	7.12%
Trade union or staff association presence	No TU or SA	6.65%	5.82%
	TU or SA present	6.38%	14.98%

We continued our analysis with multivariate models of the same binary outcome variable (i.e. whether someone experienced an NMW violation, or not). Comparing the full workforce and precarious workers, no consistent associations could be identified (Table 4.12).

In the full workforce, all else being equal, having an A-level, below A-level, or no qualification made it more likely that someone would be affected by NMW violations, ethnicity was also a factor, and being low income. Among precarious workers, having any number of dependants instead of none had a positive partial association with NMW violations, all else considered (Table 4.12).

The two variables entered into the ‘deluxe’ models were unfair deductions and unpaid work, but from the two, only unpaid work had a positive partial association with NMW violations, and only in the full workforce, not among precarious workers.

Table 4.12: Binary logistic regression models for NMW violations

Variable	NMW violation	NMW violation	NMW violation	NMW violation
	Full workforce Baseline	Full workforce Deluxe	Precarious workers Baseline	Precarious workers Deluxe
Ethnicity	sig. diff.	sig. diff.		
Education	sig. diff.	sig. diff.		
Dependants			sig. pos.	sig. pos.
Low income	sig. pos.	sig. pos.		
Unfair deductions	NA		NA	
Unpaid extra hours of work	NA	sig. pos.	NA	

Merely modelling the presence or absence of NMW violations only provides a partial picture. In addition, one should also be mindful of the scale of the monetary impact, which can be modelled by looking at how far below the NMW someone ends up. Due to the skewed distribution of the data and the large number of 0 values among those who did not experience NMW violations, we used count modelling as the appropriate strategy here⁸¹.

⁸¹ That is, after taking the absolute value of outcome variables (i.e. turning negative values into positives), we are using a Poisson model as an efficient way of estimating the partial associations.

Table 4.13: Poisson regression models for the scale of NMW violations (in pounds, trimmed)

Variable	Scale of NMW violation	Scale of NMW violation	Scale of NMW violation	Scale of NMW violation
	Full workforce Baseline	Full workforce Deluxe	Precarious workers Baseline	Precarious workers Deluxe
Female	sig. pos.	sig. pos.		
Education	sig. diff.	sig. diff.		
Right to work	sig. diff.	sig. diff.	sig. diff.	sig. diff.
Dependants			sig. pos.	sig. pos.
Job location	sig. diff.	sig. diff.	sig. diff.	sig. diff.
Low income	sig. pos.	sig. pos.		
Industry	sig. diff.	sig. diff.	sig. diff.	sig. diff.
Occupational class	sig. diff.	sig. diff.		
Small workplace	sig. pos.			
Non-traditional work	sig. pos.	sig. pos.	sig. pos.	sig. pos.
Two or more than two jobs	sig. neg.	sig. neg.	sig. neg.	sig. neg.
Permanent job	sig. neg.			
Unfair deductions	NA		NA	
Unpaid extra hours of work	NA	sig. pos.	NA	

Across all models (Table 4.13), all else being equal, we found two consistent variables that had a statistically significant positive relationship with how far below the NMW an individual might be: people tended to be further below the threshold if they were in non-traditional work and/or had pre- or fully-settled status, or indefinite leave to remain (as compared to UK-born citizens). In other words, workers with these characteristics tended to experience more severe NMW violations than others. By contrast, controlling for all else, having two or more jobs, instead of currently being unemployed, or having one job instead of currently being unemployed, appeared to reduce the scale of NMW violations. In other words, your current unemployment status was indicative of having worked in a job with a more severe NMW violation. Job location was also significant across all models, but with different categories emerging: for the full workforce, working in the suburbs emerged as a protective factor, whilst among precarious workers, working in the countryside was more likely to lead to larger NMW violations, all else being equal.

There were also some notable industry-wide differences (Table 4.13). In the full workforce, people working in healthcare, social care, and education were more likely to be underpaid further below the NMW, all else being equal, whilst among precarious workers, hospitality stood out as a problematic industry in this regard.

Being female, on low income, from a lower than degree level educational background, and belonging to the lower occupational class, all had a significant partial positive association with the scale of NMW violations – workers with these characteristics tended to be further below the NMW than others (Table 4.13). For the full workforce, the baseline models suggested that working in a small workplace had a positive impact, whilst having a permanent job had a negative partial association, with the amount of money lost below the NMW, but these disappeared in the ‘deluxe’ model.

Among precarious workers, having two or more dependants instead none was associated with being further below the NMW, all else held constant (Table 4.13).

Finally, in the ‘deluxe’ models, only unpaid extra hours of work was a significant predictor and only in the full workforce (Table 4.13).

Textbox 4.3 provides some illustrations regarding NMW violations from the Working Lives Survey.

Textbox 4.3: Narrative summaries and interview excerpts from survey respondents with NMW violations

U is a 35-year-old Black female, working in the healthcare industry as a healthcare assistant at a large workplace in a small city or town in the West-Midlands. She has no dependants and no disabilities. She first came to the UK in 2022 and now has a long-term work visa. **U** is not a member of a trade union or staff association; however, her coworkers are.

Based on an average of 48 hours of work per week – working across 5 – she estimated her monthly income to be around £2,000 (which was then calculated to be £9.62/hour – which she said was probably too low, adjusting it to £11, which still kept her under the NMW by £0.44).

Over the past two years, **U** has not encountered issues with payslips, unfair deductions, unpaid work, or taking time off work. **U** routinely receives payslips via email (to her personal email address). She finds these easy to access and to understand, and pay and deductions are always accurately itemised.

When it comes to health and safety, neither **U** nor her coworkers have experienced any issues with their physical health. Similarly, she hasn't experienced bullying or harassment or issues with her mental health. Despite this, over the past 2 years, she has been worried for both her physical and mental health.

V is a 54-year-old Asian male, who has a permanent job in the hospitality industry in a fast-food chain at a small workplace in a big city in West-Midlands. He has no dependants, but he has a disability.

Based on an average of 30 hours of work per week – working across 4 days – he estimated his yearly income to be around £8,000 (which was then calculated to be £5.13/hour – which he said was about right – leaving him £6.31 below the national minimum wage).

Over the past two years, **V** has not encountered issues with payslips and unfair deductions. However, he has encountered issues with unpaid extra hours of work (not accounted for in his NMW calculation), particularly being asked to cover for a colleague who is absent (20 hours each week) without pay. Additionally, **V** has also encountered issues with taking time off work, particularly sick leave. **V** routinely receives payslips via email (to his personal email address). He finds these very easy to access and to understand, and pay and deductions are always accurately itemised. Neither **V** nor his coworkers are members of a trade union or staff association.

When it comes to health and safety, neither **V** nor his coworkers have experienced any issues with their physical health. Similarly, he hasn't experienced bullying or harassment or issues with his mental health. He hasn't been concerned about his physical or mental health either.

Unpaid extra hours of work

Unpaid extra hours of work were the most common financial harm reported in our survey, and the second most common issue identified overall, of all the issues we looked at. Around three out of ten workers reported doing unpaid extra hours, both in the full workforce (31.84%) and among precarious workers (28.19%) (Table 4.14).

Table 4.14: Unpaid extra hours of work

Construct	Full workforce	Precarious workers
Unpaid work	31.84%	28.19%

The sources of unpaid extra work were similar in both populations, with more than half of the respondents affected by unpaid work attributing it to: compulsory training (full workforce 52.61%, precarious workers 51.98%), and around a quarter in both groups attributing it to induction (full workforce 23.26%, precarious workers 25.68%) and essential work tasks before/after work (full workforce 23.36%, precarious workers 28.75%). People in the full workforce were significantly more likely to attribute unpaid extra hours to work-related travel (42.33%) and covering for absent colleagues (31.62%) compared to precarious workers (work related travel 30.79%, covering for absent colleagues 20.05%) (Table 4.15). The median number of sources picked by affected respondents was 1; in other words, a typical worker only mentioned one source of unpaid extra hours of work.

Table 4.15: Source of unpaid extra hours of work

Construct	Full workforce	Precarious workers
Induction	23.26%	25.68%
Compulsory training	52.61%	51.98%
Queuing for security	5.20%	4.00%
Essential work tasks before/after work	23.36%	28.75%
Work-related travel	42.33%	30.79%
Covering for absent colleagues	31.62%	20.05%
Other	4.48%	8.91%

As earlier, we were interested in the scale of unpaid work and thus, we estimated the typical (median) hours of unpaid work each week in every category among those who were affected by the unpaid extra work (Table 4.16). Here we see clearly that the most prevalent causes of unpaid extra work are not the most time consuming. The most time consuming was essential work-related tasks (1.76-1.90 hours/week), covering for absent colleagues (1.37-1.68 hours/week) and work-related travel (1.03-1.71 hours/week). In contrast, various more common unpaid activities took up much less time, such as compulsory training (0.28-0.36 hours/week) or taking part in induction (0.11-0.22/hours/week). It is also noticeable that in several categories, workers in the full workforce reported more hours of unpaid work on average than their precarious counterparts. As one person could mention multiple instances of unpaid work, it is worth looking at the overall number of hours, where the disparity between the two populations appears to be relatively small: 1.94 hours/week of unpaid work in the full workforce among those who reported unpaid extra work, compared to 1.6 hours/week of unpaid work among precarious workers. Crucially, these numbers should also be compared to the number of hours each person works a week, to help understand how much unpaid extra work people are doing relative to paid work. The median number of hours worked (unpaid hours excluded) in the full workforce among those who told us about unpaid work is 38.85, compared to only 19.98 among precarious workers in the same group. In other words, although the amount of unpaid extra work is similar, it is in fact much larger as a share of their total number of hours worked for precarious workers.

Table 4.16: Number of unpaid extra hours per week with the typical (median) value (for those affected by unpaid extra work only)

Construct	Full workforce	Precarious workers
Induction	0.22 [0.58]	0.11 [0.48]
Compulsory training	0.36 [0.17]	0.28 [0.37]
Queuing for security	0.20 [0.20]	0.25 [0.37]
Essential work tasks before/after work	1.90 [0.42]	1.76 [0.51]
Work-related travel	1.03 [0.20]	1.71 [0.62]
Covering for absent colleagues	1.68 [0.36]	1.37 [1.49]
Other	1.39 [0.45]	0.72 [0.64]
Overall unpaid hours worked per week	1.94 [0.21]	1.60 [0.43]
Number of (paid) hours worked per week	38.85 [0.48]	19.98 [1.31]

The ratio of paid to unpaid work therefore quantifies the relative impact of unpaid work better than looking only at the sheer number of hours. As shown in Table 4.17, precarious workers are slightly, but not significantly, more likely to do more unpaid work compared to the share of their base hours than workers in the full workforce. Among those who report having done unpaid extra work, the typical (median) number of unpaid extra hours of work among precarious worker was 8 hours for every 100 hours of paid work, which compared with 6 hours of unpaid work for every 100 hours of paid work in the full workforce. Considering the average (mean) worker, this translates to 15 hours of unpaid extra work for every 100 hours of paid work among precarious workers, and 13 hours of unpaid extra work in the full workforce.

Table 4.17: Ratio of paid hours and unpaid work (median, mean, and confidence intervals)

	Full workforce	Precarious workers
Median	0.06	0.08
Mean	0.13	0.15
Confidence interval (95%)	0.12-0.14	0.12-0.18

Using the binary variable of the presence or absence of unpaid extra hours of work, it is worth considering how this relates to a set of influential covariates. Probably the most striking observation based on Table 4.18, is that the full workforce and precarious workers seem extremely similar to each other across most variables. The biggest disparity emerges for low income, where those who are not on low income are much more likely to do unpaid extra work if they are precarious workers (43.96%) compared to those in the full workforce (31.68%).

Table 4.18: Unpaid extra hours of work and main covariates of interest

Category		Unpaid work	
		Full workforce	Precarious workers
Sex	Female	33.91%	30.22%
	Male	29.92%	26.13%
Ethnicity and migration status	Not UK-born and/or ethnic minority	30.82%	29.87%
	UK-born White	32.59%	26.55%
Low income	No	31.68%	43.96%
	Yes	32.34%	26.61%
Non-traditional	Non-traditional worker	32.27%	28.06%
	Traditional worker	31.72%	29.03%
Job permanence	Not permanent job	35.70%	29.23%
	Permanent job	30.76%	25.52%
Small workplace	Not small workplace	31.88%	32.88%
	Small workplace	31.76%	26.74%
Trade union or staff association presence	No TU or SA presence	28.59%	26.39%
	TU or SA presence	36.20%	33.35%

Looking at the multivariate models for the binary outcome variable for unpaid extra hours of work (Table 4.19), the only variable that appears to have a consistent influence was job location. However, in the case of the full workforce, this meant a significant decrease in probability when working at an 'other' location (such as remotely or at varying sites) instead of working in the city, a town, or the suburbs, whilst among precarious workers, working in a village or farm instead of any other location made unpaid extra hours of work significantly less likely, all else being equal.

For the full workforce, having pre- or fully-settled-status/indefinite leave to remain or 'other' visa (instead of being a UK-born citizen), as well as having a permanent job, had a negative partial association with unpaid extra hours of work (i.e. these individuals are less likely to do it), holding all else constant. By contrast, being disabled, receiving benefits, or the workplace having trade union or staff association presence, all had a positive partial association (i.e. unpaid extra hours of work were more likely), holding all else constant (Table 4.19).

Among precarious workers, age had a significant negative relationship whilst age-squared had a significant positive one, suggesting that older workers are less likely to do extra unpaid hours of work, but the youngest and oldest workers have an increased likelihood of doing so. Workers in middle-class and working-class occupations (the latter in the baseline model) were more likely to do unpaid extra hours of work compared to those in lower class ones, whilst workers with lower than degree-level certificates were less likely to do unpaid extra hours of work, all else being equal. Being on low income had a negative partial association, but being disabled a partial positive one (but only in the ‘baseline’ model for the latter).

Looking at the ‘deluxe’ models, both unfair deductions and NMW violations were significant in the full workforce and among precarious workers alike (Table 4.19).

Table 4.19: Binary logistic regression models for unpaid extra hours of work

Variable	Unpaid extra hours of work	Unpaid extra hours of work	Unpaid extra hours of work	Unpaid extra hours of work
	Full workforce Baseline	Full workforce Deluxe	Precarious workers Baseline	Precarious workers Deluxe
Age			sig. neg.	sig. neg.
Age-squared			sig. pos.	sig. pos.
Education			sig. diff.	sig. diff.
Right to work	sig. diff.	sig. diff.		
Disability	sig. pos.	sig. pos.	sig. pos.	
Job location	sig. diff.	sig. diff.	sig. diff.	sig. diff.
Low income			sig. neg.	sig. neg.
Benefits	sig. pos.	sig. pos.		
Occupational class			sig. diff.	sig. diff.
Permanent job	sig. neg.	sig. neg.		
Trade union or staff association presence	sig. pos.	sig. pos.		
National Minimum Wage Violation	NA	sig. pos.	NA	sig. pos.
Unfair deductions	NA	sig. pos.	NA	sig. pos.

We were also interested in the amount of unpaid extra hours of work. To measure this, we used the ratio variable from Table 4.17, as it provides the best estimate for the extra number of unpaid hours someone has to take on, compared to their normal paid hours of work. The only consistent partial association we found was having a permanent job decreasing the ratio of unpaid extra hours of work among precarious workers and the full workforce alike, suggesting that it is a protective factor (Table 4.20).

In the full workforce, we found that people receiving benefits tend to have a higher ratio of paid-unpaid extra hours of work, all else held constant (Table 4.20). For precarious workers, similar patterns emerged in the previous binary model: the youngest and oldest participants appeared to work more as a ratio of their paid hours (i.e. positive partial association with age squared) whilst, in general, getting older had a negative partial association with the ratio of paid to unpaid hours of work. Job location also showed a significant difference, with all locations outside big cities showing a significantly lower ratio, once all else was controlled for. Disability also had a positive association with a higher ratio of unpaid extra hours of work, but this was only true in the baseline model, all else considered.

In the ‘deluxe’ models, only unfair deductions had a positive partial association with the ratio of paid-unpaid extra hours of work, but NMW violations did not, controlling for all else.

Table 4.20: Poisson regression models for the ratio of paid hours and unpaid extra hours of work

Variable	Unpaid extra hours of work	Unpaid extra hours of work	Unpaid extra hours of work	Unpaid extra hours of work
	Full workforce Baseline	Full workforce Deluxe	Precarious workers Baseline	Precarious workers Deluxe
Age			sig. neg.	sig. neg.
Age-squared			sig. pos.	sig. pos.
Disability			sig. pos.	
Job location			sig. diff.	sig. diff.
Benefits	sig. pos.	sig. pos.		
Permanent job	sig. neg.	sig. neg.	sig. neg.	sig. neg.
National Minimum Wage Violation	NA		NA	
Unfair deductions	NA	sig. pos.	NA	sig. pos.

Finally, Textbox 4.4 presents the experiences of some individuals who have been affected by unpaid extra hours of work.

Textbox 4.4: Narrative summaries and interview excerpts from survey respondents carrying out unpaid extra hours of work at their workplace

P is a 20-year-old White female, working in the hospitality industry. She is permanently employed as a receptionist at a small workplace in the suburbs or outskirts of a big city in the West Midlands. She first came to the UK in 2013 and now has settled status. **P** has no disabilities or dependants. In the past 2 years, she has started a new job for which she received a contract or key document ahead of starting the job.

Based on an average of 24 hours of work per week – working across 3 days – she estimated her monthly income to be around £950 (which was then calculated to be £9.13/hour – which she said was about right, and which was considerably below the National Minimum Wage).

Over the past two years, **P** has not encountered issues with unfair deductions, payslips, or leave-related issues. However, she has encountered issues with unpaid work, particularly being asked to take part in compulsory training (3 hours monthly) without pay. Neither **P** nor her coworkers are members of a trade union or staff association.

When it comes to health and safety, **P** has not experienced any issues with either her physical or mental health due to work. Similarly, she has never been bullied or harassed at work, and she has not been concerned for her mental or physical health.

R is a 54-year-old Asian male with a below A-level education, working in the healthcare industry. He first came to the UK in 1996 and now has citizenship. He has no dependants and is not disabled. For at least the past 2 years, **R** has been permanently employed as a support worker in a large workplace. His job is located in a big city in the East region of England.

Based on an average of 35 hours of work per week – working across 5 days – he estimated his monthly income to be around £500 (which was then calculated to be £3.3/hour – which he said was probably too low, adjusting it to £11.44, or to the National Minimum Wage).

Over the past two years, **R** has not encountered issues with payslips. However, he has encountered issues with unfair deductions, particularly being asked to pay his workplace for a uniform (£20/one-off). **R** has also encountered issues with unpaid work, particularly being asked to take part in induction (350 hours yearly), compulsory training (300 hours yearly) and work-related travel (1 hour weekly) without pay. These were probably large overestimates as suggested by the previously discussed adjustment to their hourly wage. Additionally, **R** has encountered issues with taking time off work, particularly annual leave, sick leave, and training and education leave, stating that this was due to ‘staff shortages’. **R** is not a member of a trade union or staff association, however, at least some of his co-workers are.

When it comes to health and safety, **R** has not experienced any issues with his physical health and didn’t want to share if his coworkers had any issues. When asked if his mental health had been negatively impacted by his work, **R** answered ‘don’t know’. However, **R** shared that he has been bullied or harassed at work on three to five occasions by co-workers.

Summary of the key findings

Unfair deductions

To reiterate, these deductions may or may not be legal, but are perceived by workers as an unfair cost on them. We found that unfair deductions tend to be much more common among precarious workers, with 21.89% affected compared to 13.75% of the full workforce. We identified that certain instances of unfair deductions, such as paying for materials for work, insurance, or paying for website/platform/app fees, were much more common among precarious workers. We also found that some unfair deductions were much more likely to be ongoing (such as paying for fuel or insurance), while others are more likely to be one-off expenses (such as paying for a uniform). We demonstrated that it is worth differentiating between frequent unfair deductions (e.g. fuel) and expensive ones (e.g. paying for accommodation), as their relative impact is not the same.

Both the bivariate (crosstab) and multivariate analysis suggested that being a non-traditional worker made it more likely that someone would incur unfair deductions, in the full workforce and among precarious workers alike. Unfair deductions also seemed to be associated with unpaid extra hours of work and NMW violations, suggesting a certain level of clustering.

The multivariate models fitted to the amount of money lost due to ongoing unfair deductions suggested that having a permanent job reduced these, both in the full workforce and among precarious workers. As before, these monetary losses had a significant association with unpaid extra hours of work and NMW violations, speaking to the inter-related nature of these constructs.

NMW violations

When it comes to NMW violations, our results suggested that, depending on the way this was estimated, 6.11-11.28% employees in the full workforce and 14.85-25.25% of employees in precarious work were affected by NMW violations in the last 2 years. These wide ranges reflect alternative approaches to measurement. We found that regardless of the method of estimation, precarious workers were consistently at significantly higher risk of NMW violations. The estimate that we deem most likely to be reliable would suggest 6.11% of employees in the full workforce and 14.85% among precarious workers were affected by NMW violations.

We calculated that the typical (median) losses due to NMW violation amounted to 66-78p per hour, which translates to £858-1,217 loss of income annually. Using the average (mean) instead produced estimates with a higher hourly loss of 96p-£1.13 and higher annual loss of £1,248-1,763. Needless to say, this indicates that NMW violations are not only more prevalent than previously thought, but also have a tangible monetary impact on those who are being affected.

We could not identify any consistent predictors of NMW violations as a binary variable, which remained an elusive outcome variable. By contrast, the scale of NMW violations was easier to model, with consistent partial associations present for right to work (those with a pre-settled, settled, or indefinite leave status suffering larger losses), being a non-traditional worker (increased risk), and having two or more jobs (decreased risk). Although job location and industry mattered across the board, they differed in terms of which locations/industries emerged as influential.

Unpaid extra hours of work

Unpaid extra work was the most common financial harm, (and the second most common problem identified in the survey overall), affecting around three in ten workers (32% full workforce, 28% precarious workers). Unlike the other financial harms, there was a high degree of consistency across the two populations in the scale and patterns of unpaid extra hours of work. Although the total number of unpaid extra hours per week was relatively similar in the two populations (full workforce 1.94, precarious workers 1.6), due to the differences in the typical and average paid hours worked, the share of unpaid extra hours of work was much larger among precarious workers. In fact, a typical precarious worker works around one-third more time for free (8 unpaid hours for every 100 paid hours) than a worker in the full workforce (6 unpaid hours for every 100 paid hours).

The multivariate model for the binary variable of unpaid extra hours of work suggested that having a disability and job location were influential factors in the chances of having to do unpaid work, with several other variables only pertinent in certain models. For the ratio variable of paid-unpaid extra hours of work, job permanence emerged as the only consistent protective factor.

Chapter 5: Administrative Violations

Chapter Summary

This chapter is focused on what we are terming 'administrative violations', i.e. breaches (or potential breaches) of employment rights concerning payslips, statements of employment particulars ('contracts' as per common language) and key information documents (KIDs), and leave-related difficulties. All these areas have long been of interest to the Office of the Director of Labour Market Enforcement (ODLME), despite largely falling outside the enforcement remit of the three enforcement bodies it oversees. Throughout the chapter, comparisons are drawn between the full workforce and precarious workers, revealing substantial disparities in the prevalence of administrative violations. Precarious workers are much more likely not to receive a payslip or contract/KID compared to the full workforce. By contrast, leave-related difficulties are more common in the full workforce. We also identified certain protective characteristics that can reduce the probability of someone not receiving a payslip or contract, including having trade union or staff association presence at the workplace, and having a permanent job. We also found evidence that payslip-related violations are more prevalent in certain industries compared to others. Finally, the thematic analysis of open-ended responses regarding leave-related difficulties identified seven emergent themes, with some tied to particular leave types – such as staffing issues for annual leave or financial constraints for sick leave – whilst managerial barriers and constraints emerged as a cross-cutting theme pertinent to most leave types.

Administrative Violations – An Introduction

This chapter is focused on what we are terming 'administrative violations', as such, while the issues in focus in this chapter can violate employment laws and are covered in broader regulatory frameworks, they do not always and necessarily fall within a strict definition of 'labour market non-compliance' as per the ODLME's remit (Pósch et al., 2024). For example, non-provision of KIDs does constitute 'labour market non-compliance', as the Employment Agency Standards Inspectorate (EAS) enforced this legislation, but only criminally or via other powers, such as prohibiting people from operating agencies. This enforcement now falls to the Fair Work Agency (FWA). In contrast, non-provision of contracts would generally not be labour market non-compliance as per the remit of the then ODLME and now FWA, nor would payslip-related violations or leave-related difficulties – unless they pushed average hourly pay for hours worked below NMW/NLW. In short, the administrative violations in focus in this chapter are an area where there is inconsistent coverage and means of state enforcement (Pósch et al., 2024).

Nevertheless, breaches of these rights are also highly salient to other forms of labour market non-compliance falling more directly within the then ODLME's/FWA's enforcement remit. In particular, documentation (payslips, contracts, KIDs) is considered vital to discouraging, detecting and documenting violations of National Minimum Wage / National Living Wage (NMW/NLW), and payslips and payroll data are widely used in HMRC NMW/NLW investigations of non-compliance (cf. 'Enforcing the Minimum Wage – Guidance' on gov.uk, updated in January 2026). More broadly, denying workers their leave entitlements is a form of wage theft (Clark & Herman, 2017; Judge & Slaughter, 2023) that can also push workers below NMW/NLW, contracts and key information documents are a vital way of informing workers about their terms and conditions (see also Taylor, 2017), payslips are crucial proof of earnings, and documentation of tax paid, and receiving itemised payslips can boost workers' ability to spot unpaid or under-paid wages (see also LPC, 2016).

Amid this context, improving understanding of and responses to administrative violations was historically a priority for the former ODLME, although the actual enforcement of workers' rights to time off (paid or unpaid) has long been identified as an enforcement gap in the UK (e.g. Clark and Herman, 2017; Pósch et al., 2024), and provision of payslips, contracts and KIDs is not enforced by the State on workers' behalf (HMRC can and does, however, fine employers for payroll non-compliance).

In the first full Labour Market Enforcement Strategy (for 2018/19) (Metcalf, 2018), the then DLME called for the enforcing of holiday pay in the UK, and for greater documentary rights for workers via payslips. The first DLME's recommendation, that payslips should document total hours worked for hourly-paid workers (Metcalf, 2018), strongly endorsed prior recommendations from the Low Pay Commission (e.g. LPC, 2016), and was soon after made a legal requirement. As recommended by the Taylor Review (2017), the Government also extended the right to itemised payslips, to include not only employees but also all 'limb b' workers. Both changes took effect from April 2019. Documentation rights have continued to be a focus for subsequent DLMEs, for instance the Labour Market Enforcement Strategy 2024/25 and 2025/26 both stressed ongoing issues, called for improved data and possible action to address state enforcement gaps (Beels, 2024, 2025). For example, the 2025/26 Strategy stressed that:

"ODLME continues to receive representations that workers are not receiving payslips, or that the payslips they receive are inadequate and inaccurate. If a worker does not have a payslip or does not understand it, this makes it harder to identify and take action when there is a problem. (...) Currently, a worker can only enforce their rights to have a payslip through an employment tribunal, which is a burdensome and slow process. More work is needed to establish the extent of payslip issues and, if appropriate, remedies, such as whether the FWA should have a role." (Beels, 2025, p.18)

The Employment Rights Act (ERA) 2025 makes significant changes in relation to the issues covered in this chapter. For example, it moves to address the longstanding enforcement gap around holiday pay and limited/fragmented enforcement around Statutory Sick Pay⁸², by moving these issues into the enforcement remit of the FWA (Acas, 2025). The ERA 2025 also makes other notable changes around sick leave, increasing rates of statutory sick pay and expanding eligibility (removing the lower earnings limit and making it an entitlement from the first day of sickness absence, removing the previous three-day waiting period) (Acas, 2025). It also significantly extends family leave rights (DBT et al., 2026), among many other changes.

Prior to the current study, some of the best available recent evidence on payslip- and leave-related violations came from research by the Resolution Foundation, which analysed a variety of existing survey data, including from the Labour Force Survey and the ASHE (Annual Survey of Hours and Earnings) (Judge & Slaughter, 2023). The authors estimated that in 2022, 3% of employees (or 900,000 people) had no paid holiday entitlement, despite this being a day-one right, and in 2019-20, 7% of employees (or 1.8 million people) did not receive a payslip, "a right by law and an important tool in helping people check whether their pay is correct or not." (Judge & Slaughter, p.5). They also found that, alongside demographic variations, many work-related characteristics were associated with differential risk of such violations. For example, employees on low-pay and working in small businesses were less likely to receive payslips than their higher-paid and non-small business counterparts, and those on temporary or zero-hour contracts were less likely to receive their holiday

⁸² Statutory Sick Pay is currently enforced by HMRC's Statutory Payment Dispute Team.

pay entitlement than those in more traditional/stable employment. Neither contracts nor key information documents were covered in that report.

In relation to agency workers more specifically, the most recent and best available data comes from the Agency Worker Survey 2021 (DBT, 2025). It found that 32% of agency workers did not recall receiving “a written statement when they started their current or most recent main assignment” (DBT, 2025, p.40). Also notable, the same survey found that “around one in twelve agency workers (8%) did not have a formal, written contract/agreement with any agency” (DBT, 2025, p.25). In relation to holiday pay, despite their legal entitlements to it, “over a third (36%) did not expect to receive holiday pay, compared with 14% of those who were fully aware of their rights”. Those who were not aware of the Employment Agency Standards Inspectorate (EAS) also missed out on holiday pay at a higher rate (32% versus 13% among those who were aware of the main regulator for agency work). These findings speak to a possible relationship between awareness of rights and the ability to exercise those rights.

Arguably the most significant leave-related violations concern annual leave and sick leave. A major study, specifically concerned with unpaid holiday entitlements, estimated that these accounted conservatively to around £1.8 billion in wage theft in Britain in 2016 (Clark & Herman, 2017). Later estimates suggest over £2 billion in wages were lost to unpaid holiday pay, averaged across 2019 and 2022 (Judge & Slaughter, 2023). There is uncertainty amongst UK workers around annual leave rights and entitlements, and many face bureaucratic barriers in taking holidays (Clark and Herman, 2017; Kantar, 2019). Overall, it has been estimated that around one-quarter of employees in the UK do not take their full annual holiday entitlement (DTI, 2011: 2).

In terms of sick leave, millions of workers in the UK are not eligible for sick pay, and those who are eligible receive some of the lowest levels of statutory sick pay among OECD countries (Scarpetta et al., 2020), although as noted above the ERA 2025 makes for notable improvements. ‘Presenteeism’ (going to work when ill) is a major issue and, in one of the few studies in this area, Patel et al. (2023) found substantial inequalities and discrimination in sick pay access in the UK. Other forms of leave (maternity / paternity, parental, carer’s, bereavement, training / education) are likely less significant as a source of non-compliance in the UK. Nevertheless, family leave entitlements in the UK do not compare well with other OECD countries, and entitlements (maternity, paternity and parental leave) are currently being reviewed by the Government (House of Commons, 2025: 3, 14-15). Overall, there is little in the way of up-to-date data on breaches of different forms of leave entitlements, let alone their relative prevalence and impact on workers. However, and as our legal experts advisory group stressed during the survey conceptualisation and operationalisation stages, the law is extraordinarily complex in this area, with a combination of statutory rights (i.e. common to all applicable workers) and contractual rights (i.e. specific to a particular worker’s terms and conditions).

Legal context

In Great Britain, employees and limb (b) workers have the right, under section 8 of the Employment Rights Act (ERA) 1996, to be provided with an itemised payslip before or upon being paid by their employer. The payslip must contain gross wages or salary, deductions made, and net wages or salary. A standing statement of fixed deductions may also be required under section 9. The main difference in Northern Ireland is that this right applies only to employees, per article 40 of the Employment Rights Order (ERO) (NI) 1996. The right to a payslip is enforced through a legal claim to the tribunal.⁸³

⁸³ ERA 1996 section 11; ERO (NI) 1996 article 43.

Under section 1 of the Employment Rights Act 1996, employees and limb (b) workers have a right to a written statement of particulars from their employer by the first day of employment. The statement must include details of the key terms and conditions of employment, such as pay, working hours and leave entitlements. According to section 3, the written statement must also include a note specifying applicable disciplinary rules and procedures. Terms and conditions relating to pensions, collective agreements, training, and disciplinary rules can be provided in instalments, and within two months of employment commencing.⁸⁴ Under section 7A, employers can meet their duties under section 1 and section 3 by providing the employee or worker with a written contract of employment, a worker's contract, or a letter of engagement containing the required information. If, after the start of employment, any changes are made to the terms and conditions of employment listed in sections 1-3, section 4 requires employers to provide a written statement containing particulars of the change within a month of the change.

There are three main differences in Northern Ireland compared to the rest of the UK. Per Article 33 of the Employment Rights Order (NI) 1996, the right to a written statement only applies to employees, can be provided in instalments, and must be provided within two months of commencement of employment. Failure to provide a required written statement, or comply with the required particulars, is a civil breach of employment law. An employee or worker may make a reference to the Employment Tribunal (or the Industrial Tribunal in Northern Ireland) to determine what particulars ought to have been included or referred to in a written statement so as to comply with its legal requirements.⁸⁵

In Great Britain (the provision does not apply in Northern Ireland), employment businesses must provide a 'key information document' (KID) about the relationship between the employment business and the agency worker.⁸⁶ The document must be provided before obtaining the agreement of the agency worker to the terms which will apply between the employment business and the agency worker, and must be provided separately from any other documents provided.⁸⁷ The document must explain what it is and the listed details of the relationship, such as the type of contract, the identity of the employment business, who will pay the agency worker, the rate and structure of remuneration, the nature of any costs, fees and deductions, and any annual leave entitlements.⁸⁸

The KID is only a requirement of employment businesses, not employment agencies. The difference is that an employment agency finds permanent employment for a work-seeker who becomes employed and paid by the employer (though this may work differently in the entertainment industry). Employment businesses (who are sometimes known as agencies), on the other hand, engage a work-seeker under their own contract, who then works under the supervision of an end-user company, usually temporarily. They do not become an employee of the end-user and are paid by the employment business, not the end-user.

Before any work-finding services are provided to the agency worker, the agreed terms of the relationship must be provided in a written document. This should ideally be in a single document. The terms include the nature of the contractual relationship, the rate of pay, annual leave entitlements, the length of notice for termination, and the type of work that will be found. The terms cannot then be

⁸⁴ ERA 1996 section 2(4).

⁸⁵ ERA 1996 section 11; ERO (NI) 1996 article 43.

⁸⁶ The Conduct of Employment Agencies and Employment Businesses Regulations 2003 regulation 13A.

⁸⁷ The Conduct of Employment Agencies and Employment Businesses Regulations 2003 regulation 13A (1)-(2).

⁸⁸ The Conduct of Employment Agencies and Employment Businesses Regulations 2003 regulation 13A (3).

varied without the work seeker's consent. If there is an agreed variation, a new agreement must be issued within 5 business days.⁸⁹

Breaching any of the requirements in the Regulations, including documentation requirements, is a criminal offence.⁹⁰ The documentation requirements for agency workers are enforced by the FWA (previously by the Employment Agency Standards Inspectorate (EAS)) and in Northern Ireland, the Employment Agency Inspectorate (EAI). As well as bringing criminal prosecutions, the FWA and EAI can apply to the tribunal to issue prohibition orders, banning non-compliant individuals from running an employment agency or employment business for up to 10 years.⁹¹

UK employment law provides for various different forms of leave from work. Employees and limb (b) workers have a day-one entitlement to annual leave, currently set at 5.6 weeks under regulations 13-13A of the Working Time Regulations 1998, and regulations 15-16 of the Working Time Regulations (NI) 2016. The system of annual leave is complex, but the basic principle is that annual leave must be paid leave and paid when the leave is actually taken.⁹² Failure to permit a worker to exercise their leave or failing to fully pay their leave gives rise to a civil claim in the tribunal.⁹³ The FWA is set to assume enforcement duties in relation to holiday pay from April 2027⁹⁴.

Employees and limb (b) workers are entitled to take sick leave.⁹⁵ Prior to the Employment Rights Act 2025, employees and limb (b) workers were entitled to at least Statutory Sick Pay (after 4 days of illness) for 28 weeks.⁹⁶ Disputes over entitlement to Statutory Sick Pay could be referred to the HMRC Statutory Payment Dispute Team. Statutory Sick Pay is now available from the first day of illness and is to be enforced by the Fair Work Agency.⁹⁷ Contractual breaches by employers can still be enforced by claims in the civil courts or tribunal.

⁸⁹ The Conduct of Employment Agencies and Employment Businesses Regulations 2003 regulations 14-16; The Conduct of Employment Agencies and Employment Businesses Regulations (Northern Ireland) 2005 regulations 14-16.

⁹⁰ Employment Agencies Act 1973 section 5: The Employment (Miscellaneous Provisions) (Northern Ireland) Order 1981 article 6.

⁹¹ Employment Agencies Act 1973 section 3A: The Employment (Miscellaneous Provisions) (Northern Ireland) Order 1981 article 5A.

⁹² WTR 1998 regulation 16; WTR (NI) 2016 regulation 17. Rolled-up holiday pay included in ordinary remuneration is permitted for irregular hours workers and part-year workers under WTR 1998 regulation 16A (GB only).

⁹³ WTR 1998 regulation 30; WTR (NI) 2016 regulation 43.

⁹⁴ Department for Business & Trade and Fair Work Agency, Strategic steer to the Fair Work Agency for the transitional year of operation. 2026.

⁹⁵ Statutory Sick Pay (General) Regulations 1982 regulation 2; Statutory Sick Pay (General) Regulations (Northern Ireland) 1982 regulation 2.

⁹⁶ Statutory Sick Pay (General) Regulations 1982 regulation 6; Social Security Contributions and Benefits Act 1992 section 151- 154; Statutory Sick Pay (General) Regulations (Northern Ireland) 1982 regulation 6; Social Security Contributions and Benefits (Northern Ireland) Act 1992 sections 147-150.

⁹⁷ ERA 2025 sections 10-13;

Other time-off rights are: maternity leave, paternity leave, shared parental leave, adoption leave, parental leave, carer's leave, neo-natal care leave, emergency leave, bereavement leave, study and training, and trade union duties and activities. These leave entitlements largely only apply to employees and are primarily protected by civil provisions against detriments and dismissal that are enforceable by complaints to the tribunal.⁹⁸

Textbox 5.1: Analytical primer to the results section

Analytical primer

The results are presented the following manner:

First, headline findings report the prevalence of the issues under investigation. These are presented as weighted proportions, averages, or medians.

Second, crosstabulations consider the relationship between pairs of variables. These describe how the main issues of interest differ/change depending on a set of influential variables.

Third, multivariate modelling in the form of regression models allows estimation of the partial association(s) between the labour market violation or work-based harm under scrutiny, and a set of potentially influential controls (that is, between the outcome variable and a set of explanatory variables). This helps us gauge whether the relationship(s) identified in the crosstabulations remain pertinent after accounting for a large set of factors. To aid the explanation of the multivariate modelling, crosstabs might be used to elucidate the findings. In each table for the multivariate regressions, the results are presented colour-coded and textually for easier accessibility. The colour green and the text 'sig. pos.' means a significant positive association; the colour blue and the text 'sig. neg.' means a significant negative association. Where an explanatory variable has multiple categories (e.g. job location) the colour orange and 'sig. diff.' indicates significant difference in outcomes across multiple categories of the independent variables.

Due to the high number of variables and associated statistical tests, we use the 1% ($p < 0.01$) significance level throughout the report. For further details regarding the analytical approach taken, please check the Methods chapter (Chapter 3).

⁹⁸ ERA 1996 section 47C, section 48, and section 111; ERO (NI) 1996 article 145.

Headline findings

Payslips

Considering every worker in the past two years, in the full workforce 4.44% of respondents did not receive a payslip regularly or at all, which climbs to 11.29% among precarious workers. Once those who chose ‘not applicable’ were excluded, this translates to 4.84% in the full workforce, and 17.51% among precarious workers, meaning that precarious workers were more than 3.5 times more likely not to receive a payslip regularly or at all (Table 5.1).

Table 5.1: Payslip-related violation, headline statistics

Construct	Full workforce	Precarious workers
Not receiving a payslip regularly or at all (all workers)	4.44%	11.29%
Not receiving a payslip regularly or at all (where applicable)	4.84%	17.51%

These payslip-related results are especially notable as, among precarious workers, around 35% of the participants indicated that getting a payslip did not apply to them compared to only around 8% in the full workforce. 6.44% of precarious workers said that they never received a payslip, and 4.84% said they do not routinely get one; the equivalent proportions in the full workforce were 2.36% and 2.08% respectively (Table 5.2).

Table 5.2: Receipt of payslips – All workers

	Full workforce	Precarious workers
After each job / assignment / commission	3.17%	10.86%
Routinely (e.g. every day / week / month)	84.08%	42.32%
I do not routinely get a pay slip	2.08%	4.84%
I have never received a pay slip	2.36%	6.44%
Not applicable	8.24%	34.93%

There were also differences in how different workers received their payslips. The most common mode of delivery in the full workforce was getting it online on a company site (35.94%) or third-party website (28.96%), or via email to a personal (21.74%) or company (10.71%) email address. By contrast, the most common form of receipt among precarious workers was to their personal email (38.09%), online at a third-party website (17.28%), online at the company's site (15.83%), or getting a physical copy (15.15%). Precarious workers were also significantly more likely to report (a) that the method of delivery varied (5.08% vs 0.98% in the full workforce), and (b) that they received their payslip on their phone or as a text, or using an app (6.59% vs 3.15% in the full workforce) (Table 5.3).

Table 5.3: Method of payslip delivery – Where receiving a payslip is applicable

	Full workforce	Precarious workers
Physical copy	6.98%	15.15%
Email – personal	21.74%	38.09%
Email – company	10.71%	7.27%
Online – company site	35.94%	15.83%
Online – third party	28.96%	17.28%
Phone – text / app	3.15%	6.59%
Varies	0.98%	5.08%
Other	1.22%	1.55%

In terms of access to their payslips, 85.59% of the full workforce found it very easy or easy to access their payslips. By contrast, this was only 79% among precarious workers (Table 5.4). The reason for this disparity being partly attributable to the mode of delivery of their payslips. The full workforce and precarious workers were at similar level when it came to the ease of access of physical copies of payslips (88.13% vs 87.66%), receiving an email to their personal email address (90.21% vs 87.24%), or getting their payslip via their phones (81.2% vs 76.2%). There were much bigger gaps, however, when it came to other modes, such as company emails (90.34% vs 83.04%), or accessing the payslips on a company's (85.6% vs 70.79%) or a third party's (81.61% vs 73.81%) website (Table 5.5).

Table 5.4: Payslip ease of access – Where receiving a payslip is applicable

	Full workforce	Precarious workers
Very easy	59.20%	48.01%
Easy	26.39%	30.99%
Neither easy nor difficult	10.58%	15.85%
Difficult	3.18%	4.31%
Very difficult	0.64%	0.85%

Table 5.5: Payslip ease of access and mode of payslip delivery

Ease	Easy or very easy		Neither easy, nor difficult		Difficult or very difficult	
Mode	Full workforce	Precarious workers	Full workforce	Precarious workers	Full workforce	Precarious workers
Physical copy	88.13%	87.66%	8.61%	6.35%	3.25%	5.99%
Email – personal	90.21%	87.24%	8.44%	9.34%	1.36%	3.42%
Email – company	90.34%	83.04%	6.48%	13.62%	3.18%	3.34%
Online – on the company's website	85.6%	70.79%	11.86%	22.93%	2.55%	6.28%
Online – on a third party's website	81.61%	73.81%	11.72%	19.14%	6.67%	7.05%
Phone – as a text or using an app	81.2%	76.2%	18.39%	15.8%	0.41%	8.01%
varies	59.24%	64.45%	27.65%	34.35%	13.11%	1.19%
Other	75.24%	52.79%	12.57%	47.12%	12.19%	0.09%

Once having received and accessed the payslip, the full workforce and precarious workers did not differ in their level of understanding of these documents. Around 80% of both precarious workers (79.75%) and the full workforce (80.33%) found their payslip easy or very easy to understand (Table 5.6). This was true despite a slight gap reported regarding the itemisation of the payslips.

Table 5.6: Ease of understanding of one's payslip

	Full workforce	Precarious workers
Very easy	46.72%	38.46%
Easy	33.61%	41.29%
Neither easy nor difficult	13.68%	15.12%
Difficult	4.91%	4.47%
Very difficult	1.07%	0.66%

Among the full workforce, accurate itemisation was reported all or most of the time in more than 9 out of 10 cases (90.91%) but this was only true in a little over 8 out of 10 cases among precarious workers (82.22%) (Table 5.7). To put it differently, around 9.09% of the full workforce, but 17.78% of precarious workers, indicated that their payslips had issues with accurate itemisation some or most of the time.

Table 5.7: Accurate itemisation of payslips

	Full workforce	Precarious workers
All the time	70.65%	62.22%
Most of the time	20.26%	20.00%
Sometimes	3.58%	5.86%
Not often	0.92%	2.53%
Never	0.70%	1.88%
Don't know	3.88%	7.51%

Table 5.8: Payslips and main covariates of interest

Category		Payslip-related violation	
		Full workforce	Precarious workers
Sex	Female	4.33%	15.21%
	Male	5.28%	19.96%
Ethnicity and immigration status	Not UK-born &/or ethnic minority	3.75%	15.12%
	UK-born white	5.65%	20.29%
Low income	No	3.42%	9.64%
	Yes	9.90%	18.29%
Non-traditional	Non-traditional worker	16.53%	19.65%
	Traditional worker	2.49%	7.32%
Job permanence	Not permanent job	15.68%	22.12%
	Permanent job	2.49%	7.57%
Small workplace	Not small workplace	2.23%	6.36%
	Small workplace	9.64%	21.61%
Trade union or staff association presence	No TU or SA	6.84%	22.88%
	TU or SA present	2.42%	5.26%

When considering a breakdown across influential covariates (Table 5.8), it quickly becomes apparent that those working at a workplace with a trade union or staff association present (measured by co-workers being members) are at a much lower risk of payslip violations: in such workplaces only 2.42% of the full workforce reported this violation, compared with 5.26% of precarious workers. Conversely, those at a workplace without trade union or staff association presence were much more likely to experience a violation: violations rise to 6.84% in the full workforce (a three-fold increase) and 22.88% among precarious workers (more than a four-fold increase). The biggest risk factors appear to be the divide between permanent and non-permanent jobs (full workforce: 15.68% vs 2.49%; precarious

workers: 22.12% vs 7.57%) and traditional and non-traditional (full workforce: 16.53% vs 2.49%; precarious workers: 19.65% vs 7.32%) ones.

However, in general, precarious workers tend to have much higher rates of payslip-related violations reported within the same category of covariates of interest. Take not-UK born and/or ethnic minority respondents as an example – here, a precarious worker is four times more likely to report a payslip related violation than someone in the full workforce. In a similar vein, precarious workers with a permanent job are three times more likely not to (routinely) receive a payslip (Table 5.8). Nevertheless, the overall patterns within each category (full workforce vs precarious workers) are similar.

We fitted multivariate regression models to identify the best predictors of payslip-related violations. We have two different models, ‘baseline’ and ‘deluxe’, with the only difference that the latter also includes leave-related difficulties as an independent variable.

Table 5.9: Payslip-related violations and industry

	Full workforce	Precarious workers
Wholesale	6.52%	19.31%
Healthcare	2.50%	11.54%
Construction	6.50%	23.60%
Hospitality	16.75%	20.65%
Transport	4.04%	13.21%
Manufacturing	2.62%	2.80%
Agriculture	8.67%	29.17%
Admin and support	4.91%	12.82%
Social care	5.51%	14.45%
Education	4.40%	5.91%
Info and communications	3.85%	21.30%
Financial	1.53%	7.75%
Professional	2.76%	14.54%
Public Admin	2.72%	24.02%
Arts	10.04%	49.03%
Other	4.11%	28.02%

The models fitted for the full workforce and precarious workers show that, all else being equal, a permanent job and trade union or staff association presence at the workplace were strong protective factors, increasing the probability that someone would get a payslip (Table 5.10). In all models and in both populations (Table 5.10) there were some significant industry-level differences. Payslip-related issues are less likely in some industries compared to others. As shown in Table 5.9, in the full workforce, workers in hospitality (16.75%), the arts (10.04%), agriculture (8.67%), and construction (6.50%) were significantly less likely than others to (routinely) receive a payslip. Among precarious workers, it was workers in the arts (49.03%), agriculture (29.17%), ‘other’ industries (28.02%), public

administration (24.02%), and construction (23.60%) who were particularly badly affected. These differences remained significant even after controlling for all other factors shown in the table.

In the full workforce, all else being equal, working at a small workplace, non-traditional workers, and experiencing leave-related difficulties all had a positive partial association with not (routinely) receiving a payslip. Among precarious workers, controlling for all else, we also found regional differences, with people working in the North East (43.3%), 'Other' locations (34.1%), and in Wales (33.3%) significantly more likely to not routinely receive a payslip, compared to other regions such as Yorkshire and the Humber (8.4%), Greater London (12.2%), and the South East (13.0%), where eligible workers were significantly more likely to receive one. In addition, all else held constant, having recently started a new job made it more likely that someone does not (routinely) get their payslips.

Table 5.10: Binary logistic regression models for payslip related violations

Variable	Not (routinely) receiving a payslip			
	Full workforce Baseline	Full workforce Deluxe	Precarious workers Baseline	Precarious workers Deluxe
Region			sig. diff.	sig. diff.
Industry	sig. diff.	sig. diff.	sig. diff.	sig. diff.
Small workplace	sig. pos.	sig. pos.		
Non-traditional work	sig. pos.	sig. pos.		
Permanent	sig. neg.	sig. neg.	sig. neg.	sig. neg.
New job (last 2 years)			sig. pos.	sig. pos.
Trade union or staff association presence	sig. neg.	sig. neg.	sig. neg.	sig. neg.
Leave-related problem (binary)	NA	sig. pos.	NA	

Using the narrative write-up of the survey results, Textbox 5.2 illustrates the lived experiences of people affected by payslip-related violations.

Textbox 5.2: Narrative summaries and interview excerpts from survey respondents experiencing payslip-related violations

C is a 21-year-old Arab woman with a degree-level education, working in the admin and support industry. She arrived in the UK as a baby in 2005 and now has pre-settled status. She has no dependants. She is single and lives in rented accommodation. **C** has no disabilities. She started a job in the last two years, for which she received a contract or key information document detailing the terms and conditions of her work ahead of starting (which was neither easy nor difficult to obtain). Currently, she works in a big city in the Greater London area. She described her job as permanent. Based on an average of 20 hours of work per week – working across four days – she estimated her monthly income to be £1,100.

C has encountered issues with payslips, stating that she has never received a payslip. She hasn't encountered issues with unpaid work in the past two years. When it comes to health and safety, in the last two years **C** has not encountered work-related mental ill health. However, she and her coworker(s) have been injured at work. She could carry on working, but her coworker(s) needed to take a couple of days off due to the injury. Despite this, she is not concerned for her mental or physical health.

C has encountered issues with taking time off work in the past two years, particularly when trying to take annual leave, stating '*Since I work with a small team of colleagues, it was difficult for me sometimes to fit my annual leave, as there would be no one to cover my shifts*'.

Y is a 22-year-old white female with a degree-level education, working in the hospitality industry. She has no dependants. She is single and lives in rented accommodation. **Y** has no disabilities. She has been working as a barista and bartender for at least two years. Her job is located in a big city in the Northwest of England. She is an employee in a small workplace (2-49 workers) and described her job as permanent. Based on an average of 14 hours of work per week – working across two days – she estimated her monthly income to be £700.

In the last two years, **Y** has encountered issues with unpaid work, whereby she was asked to take part in compulsory training (two hours yearly), essential work-related tasks before or after work (e.g. cleaning the premises, doing inventory, setting up the workstation) (one hour weekly), and cover for absent colleagues (eight hours monthly), all without pay. **Y** has also encountered issues with payslips in the past two years, stating that she does not routinely receive a payslip. When she does, its format varies, and **Y** finds them difficult to find but easy to understand; however, pay and deductions are not always accurately itemised. In the past two years, **Y** hasn't had her mental health negatively impacted by her work, nor is she concerned for either her physical or mental health, despite having been harassed or bullied at work by customers on at least one to two occasions.

Contracts and key information documents

As outlined in the legal section, it is a legal requirement for employers to provide a ‘written statement of particulars’ for all employees and ‘limb (b) workers’, whilst the ‘key information document’ (KID) applies to employment businesses and their agency workers. An employment or worker contract is conceptually distinct from both, though providing a written contract is one way of discharging the obligation to provide a ‘written statement of particulars’. Either way, when most workers receive such a document they perceive it as a ‘contract’, and in practice this is the most common way for employers to share the relevant details.

In the full workforce, 8.91% of workers reported not having received a contract or key information document at all; precarious workers were more than twice as likely to report this (20.24%) (Table 5.11). However, the proportion affected by contract- and key-information-document-related violations becomes much larger when considering also whether it was received within the time period stipulated by law (ahead of starting a job, or in Northern Ireland only, in the first two months after starting). In the full workforce, almost one in four workers (23.3%) did not receive their contract or key information document on time, this climbing to one in three for precarious workers (32.54%).

Table 5.11: Accessibility and timing of contract and key information documents

Construct	Full workforce	Precarious workers
Not receiving contract or key document	8.91%	20.24%
Not receiving contract or key document ahead of starting the job (or for workers in Northern Ireland only, in the first two months of the job)	23.3%	32.54%

Table 5.12: Accessibility and timing of receipt of contract and key information document

	Full workforce	Precarious workers
Accessibility of contract or key information document		
Very easy	50.93%	35.15%
Easy	31.38%	46.38%
Neither easy nor difficult	13.58%	15.16%
Difficult	3.55%	3.31%
Very difficult	0.57%	0.00%
Time of receiving the contract or key information document		
Ahead of starting the job	83.54%	81.06%
In the first two months of the job	14.23%	14.65%
More than two months after starting the job	2.23%	4.29%

Among those who ended up receiving a contract or key document (on time or at all), roughly the same proportion of people found them easy or very easy to access in the full workforce (82.31%) and among precarious workers (81.53%). Similarly, there was no notable difference between the two groups in terms of the proportion receiving their paperwork ahead of starting their job (full workforce: 83.54%; precarious workers: 81.06%), as opposed to in the first two months of a job or later (Table 5.12).

As the questions regarding contracts and key information documents were only asked of those who started a new job in the last two years, this limited the sample size (full workforce: n=953; weighted sample proportion=24.24%; precarious workers: n=311; weighted sample proportion=29.73%), thus we could not engage in multivariate analysis.

Table 5.13: Contracts and key information document and main covariates of interest

Category		Not receiving a contract or key information document	
		Full workforce	Precarious workers
Sex	Female	7.80%	20.81%
	Male	9.89%	19.47%
Ethnicity and immigration status	Not UK-born and/or ethnic minority	7.74%	12.29%
	UK-born white	9.81%	28.84%
Low income	No	5.84%	6.64%
	Yes	17.44%	21.76%
Non-traditional	Non-traditional worker	16.71%	20.77%
	Traditional worker	6.82%	16.17%
Job permanence	Not permanent job	15.97%	26.57%
	Permanent job	6.44%	6.91%
Small workplace	Not small workplace	5.70%	8.05%
	Small workplace	14.30%	25.02%
Trade union or staff association presence	No TU or SA	11.02%	28.82%
	TU or SA present	5.58%	6.49%

Nevertheless, the crosstabulations (Table 5.13) are indicative of what factors might be associated with whether workers receive a contract or key information document. As with payslips, those in workplaces with trade union or staff association presence are much less likely to report not receiving a contract or key information document. Similarly, workers in smaller workplaces (under 50 workers) are 2.5-3 times more likely to report this issue, and low-income workers are more than 3 times more likely to report it compared to their non-low-income counterparts. Finally, having a permanent job also appears to be a protective factor, for those in the full workforce and among precarious workers alike.

There are also some notable differences in the patterns of associations between the full workforce and precarious workers. In the full workforce, UK-born white workers and non-UK born/ethnic minority workers are roughly equally likely to say they did not receive a contract or key information document, but among precarious workers, UK-born white people are more than twice as likely to report not receiving such a documentation. By contrast, traditional workers in the full workforce were less likely not to receive a contract or key information document than non-traditional workers, but among precarious workers the difference is much smaller and not statistically significant.

Finally, Textbox 5.3 provides a couple of examples from the survey, of people who reported having experienced a contract- or key information document-related violation.

Textbox 5.3: Narrative summaries of workers experiencing contract-related violations

B is a 51-year-old white woman with a degree-level education, working in the healthcare industry. She first came to the UK in 1996 when in her early 20s and now has settled status. She is single, lives in accommodation that is owned outright/with a mortgage and has no disabilities. Currently, she has two jobs, one as an advanced musculoskeletal specialist, and her primary job as a private physiotherapist in a town in Yorkshire and Humber. She described her main job as permanent, and her other one as being a sole trader (i.e. self-employed). In this second job, based on an average of 16 hours of work per week – working across two days – she estimated her weekly income to be £450.

Despite starting a new job in the last two years, she has not received a contract detailing the terms and conditions of her work. **B** does not routinely receive payslips, however when she does, they are sent online (via a third party's website). She finds them difficult to access and neither easy nor difficult to understand. Despite this, pay and deductions are always correctly itemised.

In the past two years, **B** has also encountered issues with taking annual leave, sick leave, bereavement leave, and training and education leave. Overall, she described her difficulties as follows, *'Learning how to make the job work for me. Learning to take time off?' I love my job so not the end of the world'*. At the end of the survey, she added *'Although employed is steady income, sole trader is unpredictable... love both jobs as the team is ace, patients are fab! Learning every day still!'*

X is a 26-year-old Arab male with a below A-level education, working in the wholesale and retail industry. He first came to the UK in 2016 as a teenager and now has settled status. He is single and lives in rented accommodation. **X** has disabilities associated with memory or the ability to concentrate, learn or understand; and with physical coordination (e.g. balance). He is currently working as a sales assistant. His job is located in a town in the Southeast of England. He is an employee in a small workplace (2-49 workers) and described his job as a casual type of work. Based on an average of 28 hours of work per week – working across four days – he estimated his hourly income to be £7.

Despite starting a new job in the last 2 years, he has not received a contract detailing the terms and conditions of his work. In addition, **X** also receives Universal Credit and Disability Living Allowance. In the past two years, **X** has never received a payslip, but he also told us that in the past two years, he experienced unfair treatment and wrong pay in his workplace. He is concerned about his mental health, particularly due to being asked to do dangerous jobs or tasks, having an unsafe working environment, having inadequate health and safety training, having an inadequate work-life balance, and job insecurity. Additionally, **X** has been harassed or bullied at work on one to two occasions by managers or supervisors, co-workers, and customers.

Leave-related difficulties

We took an open-ended approach to mapping leave-related issues in the labour market, asking respondents to report whether they encountered any difficulties with taking leave. In the full workforce, 17.12% said that they had an issue with at least one type of leave, while 12.84% of precarious workers said the same (Table 5.14). This was a statistically significant difference, and a reversal compared to what we saw regarding payslips and contracts/KIDs, where prevalence of issues was higher among precarious workers.

Table 5.14: Prevalence of leave-related difficulties

Construct	Full workforce	Precarious workers
One or more leave-related difficulties	17.12%	12.84%

When looking at the specific leave types, respondents had issues with, annual leave led with 11.5% in the full workforce, followed by sick leave (6.55%), and taking leave for training or education (2.74%). Among precarious workers, sick leave was top of the list (6.68%) and was of a similar magnitude compared to within the full workforce. Annual leave was second (6.61%), around half the rate for all workers. Finally, taking leave for training or education came third (2.05%), a similar magnitude compared to the full workforce. Thus, the leading explanation for the overall difference between the full workforce and precarious workers is mostly attributable to the contrast regarding taking annual leave (Table 5.15).

Table 5.15: Leave-related difficulties (multiple items could be selected)

Type of leave	Full workforce	Precarious workers
Annual leave	11.50%	6.61%
Sick leave	6.55%	6.68%
Maternity/paternity	0.29%	0.59%
Parental leave	0.62%	0.58%
Carer's leave	0.43%	0.09%
Bereavement	1.77%	1.43%
Training/education	2.74%	2.05%
Other	0.58%	0.58%
None	82.88%	87.16%

Looking at the main covariates of interest (Table 5.16), it was striking that most of them made little difference to the rates of reported problems. This was especially true for the full workforce, the only differences, outside the margin of error, were due to either working somewhere with trade union or staff association presence or having a permanent job (both associated with higher prevalence of leave-related difficulties).

Among precarious workers, having a permanent job was also associated with a higher likelihood of reporting leave-related difficulties and, in addition, females were significantly more likely than males to report leave-related difficulties.

Table 5.16: Leave-related difficulties and main covariates of interest

Category		Leave-related difficulties	
		Full workforce	Precarious workers
Sex	Female	17.57%	14.69%
	Male	16.76%	10.91%
Ethnicity and immigration status	Not UK-born and/or ethnic minority	16.20%	12.94%
	UK-born white	17.80%	12.74%
Low income	No	17.13%	13.26%
	Yes	17.10%	12.80%
Non-traditional	Non-traditional worker	17.86%	12.87%
	Traditional worker	16.92%	12.65%
Job permanence	Not permanent job	15.51%	11.38%
	Permanent job	17.57%	16.60%
Small workplace	Not small workplace	17.25%	12.55%
	Small workplace	16.92%	12.93%
Trade union or staff association presence	No TU or SA	15.00%	12.40%
	TU or SA present	19.97%	14.09%

The multivariate analysis also identified only a limited number of covariates associated with leave-related difficulties (Table 5.17). Having a disability was the only variable, shared across the full workforce and precarious workers, with a statistically significant positive partial association in all models. This suggests people with disabilities are more likely to face difficulties when taking leave, compared to their colleagues without disabilities.

In the full workforce, both age and the squared transformation of age had a statistically significant association with leave-related difficulties, but in the opposite direction, indicating a curvilinear association. The older someone was, the more likely that they reported leave-related difficulties; however, the youngest and oldest were less likely than those in middle age to report such difficulties. Working at a workplace with trade union or staff association presence had a statistically significant positive partial association, meaning workers there were more likely to report leave-related difficulties. In the 'deluxe' model for the full workforce, payslip-related violations also increased the probability of leave-related difficulties, all else being equal.

By contrast, for precarious workers, the only unique statistically significant positive partial association was the number of dependants, which, upon closer inspection, explains the gendered patterns in the prevalence of leave-related difficulties, at bivariate level, among precarious workers only. More precisely, those with three or more dependants were significantly more likely to have had problems than those with none, or than those with only one or two dependants. This suggests that, among precarious workers, accessing leave entitlements is particularly challenging for those with a high number of dependants.

Table 5.17: Binary logistic regression models for leave-related difficulties

Variable	Leave-related difficulties			
	Full workforce Baseline	Full workforce Deluxe	Precarious workers Baseline	Precarious workers Deluxe
Age	sig. pos.	sig. pos.		
Age-squared	sig. neg.	sig. neg.		
Disability	sig. pos.	sig. pos.	sig. pos.	sig. pos.
Dependants			sig. pos.	sig. pos.
Trade union or staff association presence	sig. pos.	sig. pos.		
Payslip-related problem (binary)	NA	sig. pos.	NA	

These multivariate results can only tell us so much, as they only looked at the presence or absence of leave-related difficulties when, in fact, there might be a great degree of difference between the various leave types. To investigate this further, we analysed the text responses given by the workers, focusing on the four most common leave types the workers had issues with: (1) annual leave, (2) sick leave, (3) leave for training or education, and (4) bereavement leave.

Out of the 637 participants who indicated difficulties with at least one of these four leave types, 597 respondents (93.7% of them) decided to provide a text response. In total, 7,557 words were analysed thematically across the four types of leaves selected (amounting to, on average, 12.7 words per response). Due to the relatively low number of open-ended responses, we could not disaggregate these findings to precarious workers and thus, we will only look at the results for the workforce as a whole.

Our thematic analysis involved the allocation of a theme to the open text data, and we identified seven of these using an iterative process of reading and re-reading the responses of the participants (see Table 5.18 for indicative quotes for each):

1. Refusal of Leave
2. Managerial Barriers and Constraints
3. Staffing Issues
4. Work Pressures and Consequences of Time Off
5. Financial Considerations
6. Limited Entitlements
7. Not Classifiable

Starting with the first category, Refusal of Leave referred to someone having a request(s) to take leave refused categorically. Whether wanting a holiday, being ill and/or requiring medical care, experiencing a bereavement, or seeking time off for training and education, there were cases where survey respondents had just been told ‘no’ from their employer in response to requests for leave.

Table 5.18: Example quotes for each theme

Theme	Quotes
Refusal of Leave	<p><i>“They refused my requests for any time off, during my period working there I wasn’t able to take any time off as a result”. (Annual Leave)</i></p> <p><i>“Unable to take time off to attend essential medical appointments”. (Sick Leave)</i></p> <p><i>“My grandad’s funeral – they wouldn’t let me have the day off to go”. (Bereavement Leave)</i></p> <p><i>“They saw education as a poor reason to take time off. If I had an exam they would still deny it even with months’ notice. [That is] why I left”. (Training and Education Leave)</i></p>

Theme	Quotes
Managerial Barriers and Constraints	<p><i>"Poor attitude from management concerning annual leave, barriers to switching shifts with other staff members, constantly changing rules". (Annual Leave)</i></p> <p><i>"They gave me a final warning after a spell in hospital and told me no more sickness". (Sick Leave)</i></p> <p><i>"My neighbour and best friend of 22 years died in April, and I haven't got the death certificate, and they refused to give time off without it". (Bereavement Leave)</i></p> <p><i>"I was only given half a day for study when the allocated time is one full day. It was eventually sorted but my missing time from the weeks prior was not allocated back". (Training and Education Leave)</i></p>
Staffing Issues	<p><i>"New automated leave application system rejects leave applications when 1 person is already off". (Annual Leave)</i></p> <p><i>"Obviously, I am aware that there need to be enough staff in place to allow care to be provided, however, often the rota co-ordinators are very inconsistent with the rules and will often refuse leave even if asked 12 months in advance when the rota has not yet even been made". (Annual Leave)</i></p> <p><i>"I requested to take day off (annual leave) in advance, that request was accepted once but later, near the day off date, I was asked to work on that day due to shortage of staff". (Annual Leave)</i></p> <p><i>(Not typical for other leave types)</i></p>
Work Pressures and Consequences of Time Off	<p><i>"I have deadlines for tasks almost every week, therefore a bit difficult to find a time to take a longer annual leave (e.g. two weeks)". (Annual Leave)</i></p> <p><i>"Undertaking an apprenticeship and should take additional day off per week but we are too busy to allow this. We work on the basis that I take time when I'm struggling to keep up". (Training and Education Leave)</i></p> <p><i>"When off sick you get constant phone calls wanting to know if or when you are returning making me feel guilty about being unwell". (Sick Leave)</i></p> <p><i>"Felt I was obliged to return sooner after immediate family member died". (Bereavement Leave)</i></p>
Financial Considerations	<p><i>"Went to work sick as not entitled to sick pay and I needed the money". (Sick Leave)</i></p> <p><i>"No sick pay". (Sick Leave)</i></p> <p><i>"Sick leave is unpaid; due to my low salary I feel that it can be difficult to take the time I need due to deductions that come from sick days". (Sick Leave)</i></p> <p><i>(Not typical for other leave types)</i></p>

Theme	Quotes
Limited Entitlements	<p><i>“Company doesn’t allow time off for bereavement unless its immediate family”. (Bereavement Leave)</i></p> <p><i>“We receive only 2 days’ bereavement per year and a discretionary third. I needed far more time than this and had to ask for support in booking time off immediately after a bereavement”. (Bereavement Leave)</i></p> <p><i>“Had to take sick leave”. (Bereavement Leave)</i></p> <p><i>“Had to take annual leave to attend a relative’s funeral”. (Bereavement Leave)</i></p> <p><i>(Not typical for other leave types)</i></p>
Not Classifiable	<p><i>‘Hhfgghg’ (No apparent meaning)</i></p> <p><i>‘30’ (No apparent meaning)</i></p> <p><i>‘No issues.’ (No leave related issue)</i></p> <p><i>‘Nothing.’ (No leave related issue)</i></p> <p><i>‘It’s self-employed’ (Unclear, not enough detail)</i></p> <p><i>‘Very hard’ (Unclear, not enough detail)</i></p> <p><i>‘Fell ill’ (Pure description)</i></p> <p><i>‘Holiday’ (Pure description)</i></p>

Managerial Barriers and Constraints were complex and specific to each leave type. Nevertheless, what tied these together was the essential element of employers and managers making it very difficult for workers to gain access to, and to take, their full leave entitlements. These included bureaucratic difficulties workers faced when trying to take annual leave, such as employers’ ‘scrutiny’, employers making it ‘difficult’ to take annual leave, putting ‘barriers’ in the way and taking a ‘long time’ to respond to annual leave requests. For sick leave, difficulties also manifested in workers’ grounds for requests not being believed, sick leave leading to closer management supervision, workers being asked to provide sensitive personal information, and employers putting pressure on those off sick. Bereavement leave was typically made more difficult by the level of proof being requested, and incorrect information being provided by employers or supervisors. Resistance to training and education leave was also noted, with administrative hurdles and concerns regarding worker retention cited as reasons for refusal.

Staffing Issues were central as a stated barrier to annual leave but were of limited importance for difficulties with the other three types of leave assessed here. The core issue, as identified by workers themselves, is staffing pressures that prevent them from taking annual leave, or at least taking annual leave at times that suit them. In some cases, annual leave applications are simply rejected through an automated system, in others there is perceived inconsistency/injustice in terms of how managers grant or deny annual leave requests. There was also a sense from the textual responses that workers in pressured environments where staff shortages occur, and who conceivably need their annual leave the most, face considerable barriers in taking time off when they need/want to.

Work Pressures and the Consequences of Taking Time Off commonly arose in relation to workloads, with people saying they had ‘too much work’ and were unable to find time to take the leave they were entitled to. In some cases, this seemed to prevent people from taking leave *per se*; in other cases, it reduced the amount of leave taken. In terms of the consequences of taking time off, respondents mentioned ‘guilt’, feeling ‘obliged to return’, and touched on how taking prolonged time off might negatively impact their work/employer.

Financial Considerations featured primarily for sick leave, whereby people described themselves as not being able to afford not to work. Quite simply, participants’ responses suggested that lost income when ill, and the lack of a suitable safety-net, underpins presenteeism, whereby people turn up to work even if unwell.

Limited Entitlements was mainly an issue for bereavement leave. It was clear that workers, faced with no or very limited bereavement leave, experienced additional distress, and some made up for this by taking sick leave or annual leave, to allow them to attend funerals of those they cared about, and/or give them respite from work whilst grieving.

Finally, the not classifiable category emerged due to data being difficult to allocate to a theme for four main reasons: (1) where ‘filler’ text was used by respondents with no apparent meaning attached; (2) where there turned out to be no leave issue; (3) where the meaning of words/ sentences was unclear or where there was not enough detail to code; and (4) where respondents just described why they wanted to take the leave rather than explain the issue they had with going on leave. For examples of each of these, please check Table 5.18.

Taking all these categories together and having removed the ‘not classifiable’ category for increased clarity, the most prevalent themes varied by leave type (see Table 5.19). For annual leave, staffing issues emerged as the most common problem, with half of the responses touching on this (50.00%), this was followed by managerial barriers (22.6%), and finally, work pressures (16.8%). For sick leave, managerial issues (28.7%), financial considerations (26.5%), and work pressures (21.3%) were mentioned. For bereavement leave, limited entitlements (31.6%) and managerial barriers (28.9%) emerged as most important. Finally, for training and education leave, work pressures (28.2%), managerial barriers (20.5%), and staffing issues (17.9%) were cited most often.

Table 5.19: Main themes identified for leave-related difficulties (unweighted percentages and, in brackets, frequencies)

Themes	Annual Leave (N=274)	Sick Leave (N=136)	Bereavement Leave (N=38)	Training & Education Leave (N=39)
Refusal of Leave	6.9% (19)	6.6% (9)	7.9% (3)	12.8% (5)
Managerial Barriers and Constraints	22.6% (62)	28.7% (39)	28.9% (11)	20.5% (8)
Staffing Issues	50.0% (137)	14.7% (20)	10.5% (4)	17.9% (7)
Work Pressures & Consequences of Time Off	16.8% (46)	21.3% (29)	10.5% (4)	28.2% (11)
Financial Considerations	1.8% (5)	26.5% (36)	10.5% (4)	5.2% (2)
Limited Entitlements	1.8% (5)	2.2% (3)	31.6% (12)	15.4% (6)

As indicated by these prevalence figures, managerial barriers seem to cut across the four leave categories, making up 20.5-28.9% of the reasons for leave-related issues. This implies that, irrespective of the leave type, workers tend to attribute problems in taking leave to their superiors or employers.

Work pressures and consequences of time off also appeared to be relevant (16.8-28.2%) for three out of the four categories: training and education leave, sick leave, and annual leave. This speaks not only to the constraints of the workplace, but also to the pressure workers feel when they take leave. Finally, it is notable that certain codes/themes were dominant for specific leave types, in particular, staffing issues for annual leave (50.0%), suggesting limited workforce in certain workplaces; financial considerations for sick leave (26.5%), which clearly speaks to the lack of proper safety net for many workers; and limited entitlements with regards to bereavement leave (31.6%), pointing to the lack of necessary provision or access at certain workplaces.

Finally, as a further illustration, Textbox 5.4 gives a couple of narrative summaries from the survey to exemplify the leave-related difficulties experienced by workers.

Textbox 5.4: Narrative summaries from survey respondents reporting leave-related difficulties

Z is a 21-year-old Asian male with an A-level education, working in the wholesale and retail industry. He first came to the UK in 2014 as a teenager and now has settled status. He is single and lives in a property either owned outright or via a mortgage. **Z** has no disabilities. His job is in the suburbs or outskirts of a city in Greater London. He is an employee in a small workplace (2-49 workers) and described his job as a seasonal type of work. Based on an average of 16 hours of work per week – working across three days – he estimated his hourly rate to be around £13.66.

He started a job in the last two years, for which he received a contract or key information document ahead of the start date, detailing the terms and conditions of his work. In the last two years, **Z** has not had any issues with unpaid work or payslips. **Z** has, however, encountered issues with taking time off work, particularly when trying to take annual leave, stating that *‘the manager always rejects our holidays’*, and sick leave, stating that *‘one day sick landed me a disciplinary due to corrupt managers’*.

Relatedly, **Z** has reported having been harassed or bullied at work on more than 10 occasions by managers or supervisors, co-workers, and customers alike. In the past two years, his mental health has been negatively impacted by his work, which required him to take a couple of days off. Overall, over the past 2 years, he has been concerned about both his physical and mental health, particularly due to being asked to do dangerous jobs or tasks, having insufficient rest breaks, high-intensity work, having an inadequate work-life balance, an unmanageable workload, a toxic organisational culture, and job insecurity.

A is a 40-year-old Black male with a degree-level education, working in the administration and support industry. He first came to the UK in 2005 when in his early twenties and now has settled status. He is married (including separated), lives in rented accommodation and has no disabilities. He has two jobs, and for at least the past 2 years, he has been working in security as his primary job. This job is located in a big city in the North-West of England. He is an employee in a small workplace (2-49 workers) and described this job as permanent. Based on an average of 40 hours of work per week – working across 6 days each week – he estimated his hourly income to be £14.

In the last two years, **A** has not reported any issues with payslips. Nevertheless, **A** has encountered issues with taking time off work, particularly when trying to take annual leave and sick leave, but he decided not to elaborate on why this was the case.

Summary of the key findings

Payslips

Our survey results indicate that there is a great deal of disparity between the full workforce and precarious workers when it comes to payslip-related violations. Among those who expect to receive a payslip, in the full workforce around one-in-twenty (4.84%) do not receive one at all or routinely, whilst this rate is 3.5 times higher among precarious workers (17.51%). Receiving payslips as a physical object or to a personal email address likely works best from an accessibility perspective. Not having accurate itemisation of payslips appeared to be a much more common issue among precarious workers than in the full workforce. Of those who could get access to their payslips, 9.09% in the full workforce and 17.78% of precarious workers reported that their payslips frequently or always lack accurate itemisation.

Using multivariate modelling, we identified certain protective characteristics that can reduce the probability of someone not receiving a payslip (even after controlling for other influential covariates). These include having trade union or staff association presence at the workplace and having a permanent job. We also found evidence that payslip-related violations are more prevalent in certain industries compared to others, with the arts, agriculture and construction industries standing out as particularly problematic, in the full workforce and among precarious workers alike. Hospitality stood out as another industry with significantly higher probability of not providing payslips at all or routinely, but only in the full workforce, whilst 'other' industries and public administration did so only among precarious workers. Manufacturing, education, finance, and healthcare were the least affected sectors when it comes to payslip-related violations.

Contract and key information document (KID)

A significant divide, albeit not as large as for payslips, exists between the full workforce and precarious workers when it comes to receiving a contract or key information document. Among those who started a job in the past two years, around one in eleven (8.91%) of the full workforce did not receive such documentation at all, which rose to one in five (20.24%) among precarious workers. Even more concerningly, almost a quarter of the full workforce (23.3%) and a third of precarious workers (32.54%) did not get the necessary documents within the legally required timeframe (i.e. ahead of starting their job in England, Wales, and Scotland, or within the first two months of starting in Northern Ireland). Our results suggest that people working in small workplaces are 2.5-3 times more likely never to receive a contract compared to people working at larger workplaces. As with payslips, we found some indicative evidence that having a permanent job and working at workplace with trade union or staff association presence is likely to be a protective factor.

Leave-related difficulties.

Leave-related difficulties followed the opposite pattern compared to payslips or contracts/KIDs, with such issues less commonly affecting precarious workers (12.84%) than the full workforce (17.12%). A closer inspection of the particular leave types picked by workers as problematic indicates that the main reason for the disparity is due to difficulties taking annual leave which are cited more often in the full workforce (11.50%) compared to precarious workers (6.61%).

Unlike with payslips and contracts, we found remarkably few associations between key covariates and the reported presence (vs absence) of leave-related difficulties, either in the examination of the crosstabulations or in the multivariate modelling. All else being equal, disability had the only statistically significant positive partial association in the full workforce, and among precarious workers alike. A few other associations were only pertinent to either the full workforce or to precarious workers.

This encouraged us to examine the open-ended responses related to the most common categories chosen as problematic by the respondents: annual leave, sick leave, leave for training or education purposes, and bereavement leave. We identified seven themes. Some themes were tied to particular leave types: staffing issues preventing workers from taking annual leave; financial constraints on workers inhibited taking sick leave; and limited entitlements was a barrier for bereavement leave. Finally, managerial barriers and constraints and, to a lesser extent, work pressures and consequences of time off, were cross-cutting themes pertinent to most leave types.

Chapter 6: Health and safety and mistreatment at work

Chapter summary

This chapter examines health and safety and mistreatment at work, including bullying and harassment. It does so as a complement to the core remit of the former Director of Labour Market Enforcement (DLME) (and now that of the Fair Work Agency, FWA), recognising that labour market non-compliance cannot be analysed in isolation from other workplace harms. In line with our social harm perspective, the analysis draws on the Working Lives Survey to explore four interconnected dimensions: work-related physical injury, negative mental health impacts of work, bullying and harassment, and worker concerns regarding their mental and physical health. Although both health and safety- and equalities-related legislations fall outside the then DLME's formal jurisdiction, these issues were highlighted as crucial by all parties during our advisory group consultations, including the likely overlap and inter-relationships between work-related harms inside and outside the then DLME's remit. Throughout the chapter, comparisons are drawn between the full workforce and precarious workers, revealing that the latter do not consistently experience worse outcomes across all dimensions. The picture is further complicated by differences in severity and source beyond the simple absence or presence of certain issues. Among others, job location, industry-level differences, disability, and trade union or staff association presence emerge as influential correlates, though their association sometimes differ between the full workforce and precarious workers. A recurring finding across the three domains of physical injury, negative mental health impacts, and bullying and harassment, is that these experiences tend to cluster together, suggesting that workplaces featuring one of these harms are also likely to exhibit others. This should make identification easier, and has implications for enforcement strategy.

Introduction

Using data from the Labour Force Survey, the Health and Safety Executive (HSE) estimated 1.9 million UK workers suffered work-related ill-health in 2024/25, up from 1.7 million in 2023/24 (HSE, 2025a). The annual cost of new cases of workplace injury and work-related ill-health (excluding long latency illness like cancer) was put at £22.9 billion in 2024/25 (HSE, 2025a), with costs born by individuals (£13.4 billion), the Government (£5.2 billion) and businesses (£4.3 billion). Also of particular note is a rising trend in the relative contribution of mental ill-health, which is “the primary driver of work-related ill health” in the UK, with “964,000 workers reporting stress, depression or anxiety caused or made worse by work in 2024/25” (HSE, 2025a). By 2024/25, over half of all work-related ill health and over six in ten days lost to work-related ill health were attributed to stress, depression or anxiety (HSE, 2025b). The estimated scale and costs of work-related health and safety issues, as well as the rising trends in work-related mental ill health, underline the need to prevent and mitigate these issues effectively (see also HSE, 2022).

Some of the negative mental health impact of work is clearly rooted in how workers are treated at work, especially their experiences with bullying and harassment. Yet, the scale of bullying and harassment at work, be it on the basis of protected characteristics or more broadly, is less clear, as these issues are challenging to define and the laws around them are complex (Barnes, 2002; 2016; Matthiesen et al., 2010), which makes their measurement difficult. Despite growing interest in these topics worldwide, there is surprisingly little in the way of robust evidence on prevalence in the UK using probability samples (Bunce et al. 2023, 2024). The Fair Treatment at Work survey was a large-scale and nationally representative survey covering bullying and harassment at work, but was last fielded in 2008 (Fevre et al., 2009). There, 7% of respondents reported experiences of bullying and

harassment at work in the preceding two years. Another particularly insightful but also dated set of evidence comes from the 2014 Adult Psychiatric Morbidity Survey, which also predates the Covid-19 pandemic and associated changes in workplace practices, but enabled associations with mental ill-health to be quantified (Bunce et al., 2023). According to this data, one in ten employees in the UK (10.6%) reported experience of workplace bullying and harassment in the preceding year, and workplace bullying and harassment “was associated with all indicators of poor mental health” (Bunce et al. 2024 p.1). The authors argue that their findings:

“reinforce a need for more cohesive UK legislation at the national level; guidance on recognition of bullying behaviours for employees, managers, and human resources at the organisational level, focusing on prevention and early intervention, and increased awareness of the impact of WBH [workplace bullying and harassment] on mental health among health-service practitioners.” (Bunce et al. 2023, p.1)

The former DLME’s remit included neither health and safety nor other mistreatment at work (which are overlapping areas but occupy separate policy remits and legal underpinnings from one another as well). Nevertheless, both these issues were highlighted as of primary importance during our early consultations with all six project advisory groups, and so were incorporated into the survey (and the qualitative interviews). In line with our social harm perspective (see Chapter 2), it is important that labour market non-compliance as per the remit of the former DLME – and, from April 2026, the Fair Work Agency (FWA) – is not examined in isolation. There are likely to be overlaps and inter-relationships with health and safety- and bullying and harassment-related infringements too. Moreover, we assume that the FWA will work in close collaboration with the HSE and the Health and Safety Executive Northern Ireland (HSENI). We would expect that the wider UK Government and devolved administrations will also be interested in such harms associated with contemporary work; especially as addressing these is likely to be key in tackling economic inactivity in the UK, which is currently a priority (Mayfield, 2025). Hence the focus of this chapter is on four key dimensions of health and safety and harmful treatment at work going beyond labour market non-compliance strictly defined: (1) work-related physical injury; (2) negative mental health impacts of work; (3) bullying and harassment at the workplace; and (4) concerns regarding mental and physical health at work.

In terms of existing research, it has long been established that being in work is generally associated with better health outcomes than unemployment and inactivity (Waddell and Burton, 2006). However, the extant literature – both quantitative (e.g., Matilla-Santander et al., 2021) and qualitative (e.g., Perri et al., 2024) – points towards precarious work being associated with markedly greater health harms than standard employment. It is important not to over-simplify, however. Notably, not all those in secure permanent employment will escape feelings of precarity and the possible health impacts of this, and indeed health can be harmed at work for reasons completely unrelated to precarity. Recent trends around the decline in real wages, intensifying workloads, rising insecurity, increasing fears of restructuring, and reducing trade union power, for instance, affect those in standard employment too (see, for example, the results from the 2011 Workplace Employment Relations Study: van Wanrooy et al., 2013). In addition, many harmed in or by precarious work may, by necessity or by choice, need to leave this type of employment, so measuring the correlation between precarious work and health-related harms can be difficult. To complicate matters, workers may differ (particularly in relation to mental health) in the extent to which they self-identify as affected by work-related ill-health.

Legal context

The protection of health and safety at work – physical and mental – is governed by primary legislation, a wide range of supplementary regulations, codes of practice and administrative guidance, and duties imposed at common law. The primary piece of legislation is the Health and Safety at Work Act 1974 (and the Health and Safety at Work (NI) Order 1978 for Northern Ireland). Under section 2 (and article 4 of the Northern Ireland Order), employers are required to take such steps as are reasonably practicable to mitigate risks facing employees, and others working for them, including ‘limb (b)’ and agency workers. It is important to note that this formulation means that not every physical injury or mental health condition suffered at work is necessarily a legal violation. The duty in section 2 (and article 4) includes providing: safe systems of work, safe handling of dangerous substances, proper training, safe access and exit routes, as well as adequate facilities and arrangements for staff welfare. Employers must also conduct risk assessments, and consult employees on health and safety matters at work.⁹⁹ Under section 3(2), some self-employed people, as described by secondary legislation, are under a duty to ensure, as far as is reasonably practicable, that themselves and other people who may be affected, are not exposed to risks to their health or safety. In Northern Ireland, this duty applies to every self-employed person.¹⁰⁰

The Health and Safety at Work Act 1974 enables the creation of more specific requirements for various different types of workplaces and industries through secondary legislation.¹⁰¹ The Health and Safety Executive (and its Northern Ireland equivalent) issues Approved Codes of Practice and guidance documents on how employers should comply with their legal obligations. These are not legally binding but are highly relevant to consideration of whether employers have complied with their legal obligations, and whether any criminal offences have been committed.

Health and safety duties are primarily enforced by the Health and Safety Executive and the Health and Safety Executive Northern Ireland (there are also a few sector specific regulators tasked with enforcement, such as the Office for Nuclear Regulation), alongside local authorities. The duties are enforced through administrative measures such as improvement notices or prohibition notices,¹⁰² and through criminal offences established in section 33 (article 31 of the Northern Ireland Order), which include contravening a duty imposed in section 2 and contravening any health and safety regulations.

Employees and ‘limb (b)’ workers have the right to leave their workplace where there are circumstances of danger which the worker reasonably believes to be serious and imminent, and which he or she could not have been reasonably expected to avert.¹⁰³ Employees and workers are protected from detrimental treatment on health and safety grounds, enforced by tribunal claims. Dismissing an employee on health and safety grounds is an automatically unfair reason for dismissal, enforced in the tribunal.

⁹⁹ Management of Health and Safety at Work Regulations 1999; HASWA 1974 section 2(6).

¹⁰⁰ HASWO (NI) 1978 article 5(2).

¹⁰¹ E.g. the Workplace (Health, Safety and Welfare) Regulations 1992.

¹⁰² HASWA 1974 sections 20-23; HASWO (NI) 1978 articles 21-24.

¹⁰³ ERA 1996 section 44(1A)(a); ERO (NI) 1996 article 68(1A)(a).

Employers owe a duty of care at common law. Employers can be liable for personal injuries suffered at work through the common law tort of negligence.¹⁰⁴ The injured worker must show that the injury was reasonably foreseeable and that the common law standard of care was breached. The tort is enforced through civil claims and applies across the UK.

The regulation of working time in the Working Time Regulations 1998 (and its 2016 equivalent in Northern Ireland) is also relevant to health and safety at work, due to issues of stress, burnout, tiredness and exhaustion that arise from the intensification of work, long hours and lack of adequate rest breaks. The Working Time Regulations 1998 (and 2016 for Northern Ireland) imposes a maximum weekly work limit of 48 hours (subject to a voluntary opt-out),¹⁰⁵ a night working limit of 8 hours in a 24 hour period,¹⁰⁶ a minimum daily rest period of 11 consecutive hours in a 24 hour period, a minimum weekly rest period of 24 consecutive hours in a 7 day period, and a rest of break of 20 minutes every 6 hours of work.¹⁰⁷

Employees, ‘limb (b)’ workers and some self-employed contractors are protected from bullying and harassment at work. According to section 26 of the Equality Act 2010,¹⁰⁸ harassment occurs when a person engages in unwanted conduct towards another, in relation to a relevant protected characteristic (e.g. religion, sex, sexual orientation), with the purpose or effect of violating their dignity or creating an intimidating, hostile, degrading, humiliating, or offensive environment. Section 26 covers sexual harassment, where the unwanted conduct is of a sexual nature and has the purpose or effect of violating the victim’s dignity or creating an intimidating, hostile, degrading, humiliating, or offensive environment. Section 26 also prohibits treating someone less favourably because he or she has either submitted to or rejected sexual harassment, or harassment related to sex or gender reassignment (this covers forms of ‘quid pro quo’ sexual harassment).

Employers have a duty under section 40 not to harass their employees or any applicant and have a duty under section 40A to take reasonable steps to prevent sexual harassment of their employees in the course of their employment. The Employment Rights Act 2025 introduces important changes in this area (expected in October 2026) to, firstly, extend the section 40 duty to taking all reasonable steps to prevent harassment by third parties,¹⁰⁹ and, secondly, strengthening the section 40A duty from taking ‘reasonable steps’ to taking ‘all reasonable steps’ The end users of agency workers have a duty not to harass agency workers under section 41. Employers can be held vicariously liable for harassment committed by other employees under section 109. Failing to prevent harassment from third parties may breach the implied term of mutual trust and confidence in employment contracts.¹¹⁰

¹⁰⁴ This applies to physical injuries: *Brown v Corus (UK) Ltd* [2004] EWCA Civ 374, *Johnstone v Bloomsbury Health Authority* [1992] QB 333; and mental/psychiatric injuries: *Barber v Somerset CC* [2004] UKHL 13.

¹⁰⁵ WTR 1998 regulation 4; WTR (NI) 2016 regulation 4.

¹⁰⁶ WTR 1998 regulation 6; WTR (NI) 2016 regulation 7.

¹⁰⁷ WTR 1998 regulation 12; WTR (NI) 2016 regulation 14.

¹⁰⁸ Equivalent protections against harassment in Northern Ireland are fragmented across various pieces of legislation: Employment Equality (Age) Regulations (NI) 2006; Disability Discrimination Act 1995; Sex Discrimination (NI) Order 1976; Race Relations (NI) Order 1997; Fair Employment & Treatment (NI) Order 1998; Employment Equality (Sexual Orientation) Regulations (NI) 2003; and the Equality Act (Sexual Orientation) Regulations (NI) 2006.

¹⁰⁹ ERA 2025 section 20.

¹¹⁰ *Connor v Surrey CC* [2010] IRLR 521 (concerning harassment of a teacher by the parents of a pupil).

Harassment is both a tort (civil wrong) and a criminal offence under section 1 of the Protection of Harassment Act 1997. Harassment under the 1997 Act does not need to be related to a protected characteristic. Sexual harassment is not currently a criminal offence in its own right.

Other forms of bullying in the workplace that fall outside of the statutory definition of harassment can nonetheless result in an employer breaching their common law duty of care towards their workers (e.g. if psychiatric injury results), and breaching the term of mutual trust and confidence implied in employment contracts.¹¹¹

Textbox 6.1: Analytical primer to the results section

Analytical primer

The results are presented the following manner:

First, headline findings report the prevalence of the issues under investigation. These are presented as weighted proportions, averages, or medians.

Second, crosstabulations consider the relationship between pairs of variables. These describe how the main issues of interest differ/change depending on a set of influential variables.

Third, multivariate modelling in the form of regression models allows simultaneous estimation of the partial association(s) between the labour market violation or work-based harm under scrutiny, and a set of potentially influential controls (that is, between the outcome variable and a set of explanatory variables). This helps us gauge whether the relationship(s) identified in the crosstabulations remain pertinent after accounting for a large set of factors. To aid the explanation of the multivariate modelling, crosstabs might be used to elucidate the findings. In each table for the multivariate regressions, the results are presented colour-coded and textually for easier accessibility. The colour green and the text 'sig. pos.' means a significant positive association; the colour blue and the text 'sig. neg.' means a significant negative association. Where an explanatory variable has multiple categories (e.g. job location) the colour orange and 'sig. diff.' indicates significant difference in outcomes across multiple categories of the independent variables.

Due to the high number of variables and associated statistical tests, we use the 1% ($p < 0.01$) significance level throughout the report. For further details regarding the analytical approach taken, please check the Methods chapter (Chapter 3).

¹¹¹ Palmanor Ltd v Cedron [1978] ICR 1008.

Headline findings

Work-related physical injury

Based on our survey, in the past two years, around 7% of the full workforce experienced a physical injury due to their work, with an almost identical magnitude of 7.55% among precarious workers. In the full workforce, respondents were around 3 percentage points more likely than precarious workers to report a co-worker having been injured (14.61% compared with 11.65%), a difference outside the margin of error. It is likely that the most robust estimate regarding workplace safety is combining these two measures and using a single construct which summarises the overall scale of physical injuries at the workplace. Some 16.4% of people in the full workforce either experienced an injury themselves or reported a co-worker having been injured in the last two years, compared with 15.21% of precarious workers. These estimates are not meaningfully different from each other (Table 6.1). In short: precarious workers did not appear to be at any greater risk from physical injuries at the workplace than were workers in the full workforce.

Table 6.1: Work-related physical injury

Construct	Full workforce	Precarious workers
Work-related physical injury experienced by the worker	7%	7.55%
Work-related physical injury experienced by a co-worker	14.61%	11.65%
Work-related physical injury (overall)	16.40%	15.21%

On its own, respondents reporting that an injury occurred does not speak to the severity of the injury, which could vary greatly from incident to incident. Thus, we also asked about the impact of the most serious injury a respondent identified (should there be more than one) (Table 6.2). The most common response, among the full workforce and precarious workers alike, was that they were able to carry on with work despite their injury (full workforce: 57.79%; precarious workers: 66.74%), with the next most common instances forcing them to take more than one week off (full workforce: 16.52%; precarious workers: 13.22%) or a couple of days off (full workforce: 14.33%; precarious workers: 12.37%). In terms of the distribution of the responses, there was no statistically significant difference between the full workforce and precarious workers.

Table 6.2: The impact of the most severe work-related injury experienced by the worker and/or their co-worker(s)

	Full workforce	Precarious workers
Most severe injury experienced by the worker		
I could carry on working	57.79%	66.74%
I had to go home but could go to work the next day	8.36%	6.45%
I needed to take a couple of days off	14.33%	12.37%
I was off work for more than a week	16.52%	13.22%
I could not resume work in the same way, or at all	3.0%	1.22%
Most severe injury experienced by the co-worker		
They could carry on working	20.42%	40.14%
They had to go home but could go to work the next day	12.15%	15.16%
They needed to take a couple of days off	23.61%	21.73%
They were off work for more than a week	37.55%	19.86%
They could not resume work in the same way, or at all	6.27%	3.11%

However, when it comes to co-workers having suffered an injury, the picture was different (Table 6.2). In the full workforce, the most common response was that the co-worker needed to take more than a week off following the injury (37.55%), but among precarious workers, the most common response was that the person could carry on working (40.14%). This suggests that when it comes to co-workers, workers in the full workforce are much more likely than precarious workers to report serious injuries among colleagues. It is also notable that the survey results for co-workers appear to be more serious, which probably indicates that co-worker injuries need to be more severe for them to become salient.

Table 6.3: Physical injuries at the workplace and main covariates of interest

Category		Physical injuries at the workplace (overall)	
		Full workforce	Precarious workers
Sex	Female	15.16%	17.27%
	Male	17.54%	13.06%
Ethnicity and immigration status	Not UK-born and/or ethnic minority	14.72%	17.13%
	UK-born White	17.66%	13.32%
Low income	No	15.60%	11.36%
	Yes	19.05%	15.59%
Non-traditional	Non-traditional worker	13.50%	14.93%
	Traditional worker	17.19%	17.02%
Job permanence	Not permanent job	13.31%	11.49%
	Permanent job	17.27%	24.76%
Small workplace	Not small workplace	17.58%	20.23%
	Small workplace	14.55%	13.65%
Trade union or staff association presence	No trade union or staff association	12.04%	13.39%
	Trade union or staff association present	22.26%	20.35%

Considering a set of important factors (Table 6.3), there is a suggestion that variables related to job permanence and legal protections are likely to correlate with experiencing physical injury due to work. For instance, in the full workforce, those with a permanent job are slightly (but significantly) more likely to report injuries (17.27%), compared to 13.31% in non-permanent jobs, an association which becomes stronger among precarious workers (24.76% compared with 11.49%). Being low-income also had a smaller, but still meaningful influence, with low-income individuals reporting injuries at rates 3.5-4 percentage points higher than others, both in the full workforce and among precarious workers.

Those in workplaces with trade unions and staff associations were also more likely to report injuries, with around 20-22% of workers reporting injuries, compared with 12-13% of workers with no trade union or staff association present. Although these findings might appear counterintuitive, it is possible that more dangerous workplaces have a better bargaining power, not despite but precisely because they have a higher chance of workers being injured. It also stands to reason that people in more dangerous workplaces are more likely to unionise, because of a keener sense that trade union support might be needed.

There were also small but statistically significant differences between the full workforce and precarious workers elsewhere. Males in the full workforce were more likely to report injuries compared to males who were precarious workers, and while non-UK-born and/or ethnic minority precarious workers were more likely to be exposed to injury, the opposite was true in the full workforce where, UK-born White workers were more likely to experience injuries (Table 6.3).

Table 6.4: Binary logistic regression models for physical injuries at the workplace

Variable	Physical injury (overall)			
	Full workforce Baseline	Full workforce Deluxe	Precarious workers Baseline	Precarious workers Deluxe
Disability	sig. pos.	sig. pos.		
Job location	sig. diff.	sig. diff.	sig. diff.	sig. diff.
Industry	sig. diff.	sig. diff.	sig. diff.	sig. diff.
Permanent job				sig. pos.
Trade union or staff association presence	sig. pos.	sig. pos.		
Negative mental health impact of work	NA	sig. pos.	NA	sig. pos.
Bullying or harassment at the workplace	NA	sig. pos.	NA	sig. pos.

Table 6.5: Physical injuries at the workplace by job location

	Full workforce	Precarious workers
Big city	12.14%	13.57%
Suburbs	21.73%	20.78%
Town	18.97%	16.51%
Village, farm, and countryside	14.66%	14.78%
Other	15.86%	0.00%

Multivariate modelling allowed us to look at a comprehensive set of explanatory variables simultaneously (Table 6.4). The probability of physical injuries at the workplace had a significant association with the location of the job and the industry of the job, both in the full workforce and among precarious workers. In terms of job location (Table 6.5), working in the suburbs emerged as the riskiest for both the full workforce and precarious workers. In the full workforce, working in a town was also significantly riskier than working in a big city, and among precarious workers, working at ‘other’ locations (such as remotely, at various locations, or when the location remained unclear) was the least risky.

There were statistically significant industry-level differences in the full workforce and among precarious workers as well. In some cases, these differences were stark. In the full workforce, the riskiest industry was agriculture, with 40% of workers in that industry reporting an injury, but strikingly only 12.24% of precarious workers in agriculture reported the same. Hospitality (full workforce: 15.07%; precarious workers: 5.37%), manufacturing (full workforce: 18.63%; precarious workers: 4.73%); transport (full workforce: 37.83%; precarious workers: 28.65%), and public administration (full workforce: 18.26%; precarious workers: 0.72%) were all also significantly riskier for the full workforce. By contrast, the professional industry (full workforce: 5.99%; precarious workers: 17.6%) and the arts (full workforce: 6.69%; precarious workers: 22.5%) were significantly riskier for precarious workers. Due to these disparities, it is difficult to draw overall conclusions, although the findings indicate that the least risky industries are probably information and communications, financial services, and admin support, whilst one of the riskiest industries is likely to be transport.

Table 6.6: Physical injuries at the workplace by industry

	Full workforce	Precarious workers
Wholesale	19.83%	15.92%
Healthcare	20.81%	21.67%
Construction	17.96%	19.55%
Hospitality	15.07%	5.37%
Transport	37.83%	28.65%
Manufacturing	18.63%	4.73%
Agriculture	40.00%	12.24%
Admin and support	5.45%	5.58%
Social care	21.71%	16.24%
Education	14.64%	16.18%
Info and communications	2.92%	0.00%
Financial	5.16%	0.00%
Professional	5.99%	17.60%
Public Admin	18.26%	0.72%
Arts	6.69%	22.50%
Other	13.13%	17.17%

In the full workforce, being disabled and working at a workplace with a trade union or staff association presence had a statistically significant positive association with the probability of injuries at the workplace. No other variables emerged as significant among our core set of covariates for precarious workers in the baseline models (Table 6.4).

As with all other modelling, we fitted ‘basic’ models, which only include our core set of variables, and ‘deluxe’ models, which also consider other related variables, in this case, the negative mental-health impact of work, and bullying and harassment at the workplace. In the full workforce and among precarious workers, both variables had significant positive associations with physical injuries at the workplace, suggesting that these three problems go hand-in-hand (Table 6.4). For precarious workers, having a permanent job also significantly increased the chance of injuries at the workplace, once the variables added to the ‘deluxe’ model were controlled for.

As demonstrated earlier, the presence and absence of physical injury at the workplace does not speak to the severity of such injuries. Nevertheless, the main goal of any employer should be the reduction or outright elimination of the highest of harms. In this spirit, we fitted a model to the severity outcome variable.

Due to the constraints associated with modelling ordered categorical variables, we made some changes to the outcome variable and to the set of explanatory variables used. We recoded the outcome variable into four categories: (1) No injury; (2) Small injury (could carry on working); (3) Moderate injury (merger of ‘I had to go home but could go to work the next day’ and ‘I needed to take a couple days off’); and (4) Significant injury (merger of ‘I was off work for more than a week’ and ‘I could not resume work in the same way, or at all’). For those who indicated that both themselves and others experienced an injury, we used the most severe one of the two. Finally, we used fewer explanatory variables to help with model convergence (cf. Chapter 3 for the full details).

As shown in Table 6.7, there are some new associations emerging from this analysis. For both the full workforce and precarious workers, age has a significant association with the severity of the injury, suggesting that all else being equal, younger people are more likely to experience or witness a more serious injury. However, other than age, there are no other shared significant variables.

The analysis indicates that, in the full workforce, all else being equal, being female, not having a disability, and working in upper-middle-class or upper/elite-class occupations instead of a lower-class occupation have a negative association with injury severity. By contrast, controlling for all else, working at a workplace with a union or staff association significantly increases the probability of a more severe injury. By contrast, among precarious workers, all else being equal, being from a Mixed ethnic background instead of being White, working using a visa (be it short- or long-term) instead of being a UK-born British citizen, and having a permanent instead of a temporary job, all have positive partial associations with experiencing or witnessing more severe injuries at the workplace. Not currently having a job, however, seems to have a negative association with working at a workplace with more severe injuries (Table 6.7).

Table 6.7: Ordinal logistic regression models for the severity of physical injury at the workplace

Variable	Physical injury (severity)	
	Full workforce	Precarious workers
Female	sig. neg.	
Age (in years)	sig. neg.	sig. neg.
Education	sig. diff.	
Unemployed		sig. neg.
Permanent		sig. pos.
Trade union or staff association presence	sig. pos.	

Finally, for a couple of examples of physical injuries experienced by workers, please refer to the narrative summaries presented in Textbox 6.2.

Textbox 6.2: Narrative summaries of work-related physical injury experienced by workers

D is a 28-year-old Black female, working in the healthcare industry. **D** is not a member of a trade union or staff association; however, her co-workers are. She came to the UK in 2023 and has a short-term work visa. She has two dependants (one below 18). She is married and lives in rented accommodation. **D** has no disability. For at least the past two years, **D** has been permanently employed as a healthcare worker in a large workplace (50 or more workers). Her job is located in a town or small city in the North-West region of England.

Based on an average of 35 hours of work per week – working across three days – she estimated her monthly income to be £1,430. Over the past two years, **D** has not experienced leave-related issues, payslip issues, or unfair deductions; however, she had issues with unpaid work. **D** routinely receives payslips via email.

When it comes to health and safety, luckily **D** has not reported any issues with her physical or mental health. However, in the past two years, her coworkers' physical health has been negatively impacted by their work, although they could carry on working. All in all, over the last two years, **D** has not been concerned for her physical or mental health. Conversely, **D** has unfortunately been harassed or bullied at work on one to two occasions, both by co-workers and customers. Last but not least, **D** shared that in the past two years, she has experienced physical abuse and discrimination in her workplace.

E is a 45-year-old White female, working in the hospitality industry. She is not a member of a trade union or staff association; however, her co-workers are. She first came to the UK in 1981 as a child, and has since gained citizenship. She has two dependants (both below 18) and has no disability. **E** has been permanently employed as a catering assistant in a small workplace. Her job is located on the outskirts of a city in the South-West region of England.

Based on an average of 15 hours of work per week – working across five days – she estimated her yearly income to be £8,500. Over the past two years, **E** has not experienced issues with unfair deductions; however, she has had issues with unpaid work, meaning that she was asked to take part in essential work-related tasks before/after work (e.g., cleaning the premises, doing inventory, setting up your workstation) which took around one hour each week. Additionally, **E** told us that she had issues with going on leave, particularly sick leave and bereavement leave.

When it comes to health and safety, both **E** and her coworkers experienced physical injuries due to their work, but they could carry on working regardless. In addition, **E** has had her mental health negatively impacted by work, causing her to feel sad or down, struggle to sleep through the night, have unmanageable levels of stress, and have strong anxiety or worry. Despite this, **E** could carry on working. Over the past two years, she has been concerned for both her physical and mental health, particularly due to the high-intensity, unmanageable workload and toxic organisational culture of her work. In addition to all of this, **E** has unfortunately been harassed or bullied at work on one to two occasions by managers or supervisors. **E** shared that in the past two years, she has experienced unfair treatment in her workplace, stating, '*I believe that people are now expected to do a lot more, for the same time scale and money received*'.

Negative mental health impact of work

In regard to negative mental health impacts of work, we only asked workers about their own mental well-being as it is often impossible to gauge the mental state of others. In the full workforce, more than one in three (37.49%) workers mentioned that their work had a negative effect on their mental health, whilst among precarious workers this figure was around one in five (22.14%) (Table 6.8).

Table 6.8: Negative mental health impact of work

Construct	Full workforce	Precarious workers
Negative mental health impact of work	37.49%	22.14%

As before, we were interested in the severity of negative mental health impacts attributed to work, and we asked about impacts on the individual's ability to carry on working. The most common response among both the full workforce (67.05%) and precarious workers (61.45%) was that despite the negative impact, they could carry on working as usual. Yet, significant proportions had to take a couple of days off (full workforce: 14.5%; precarious workers: 18.53%), although more serious impacts were rarer. It is notable, however, that precarious workers were more than three times more likely to suggest that they could not resume work in the same way or at all due to the impact on their mental health (full workforce: 2.55%; precarious workers: 8.78%), although this difference was not statistically significant.

Table 6.9: Impact of the most severe case on mental health experienced by the worker

	Most severe mental health impact experienced by the worker	
	Full workforce	Precarious workers
I could carry on working	67.05%	61.45%
I had to go home but could go to work the next day	5.84%	2.95%
I needed to take a couple days off	14.46%	18.53%
I was off work for more than a week	10.09%	8.30%
I could not resume work in the same way, or at all	2.55%	8.78%

For mental health, we also asked about the symptoms experienced, with respondents allowed to pick multiple ones simultaneously. The leading symptoms reported by both groups were the following (in approximate order of frequency): feeling sad or down (full workforce: 66.27%; precarious workers: 68.37%); strong anxiety or worry (full workforce: 67.81%; precarious workers: 57.28%); struggling to sleep through the night (full workforce: 53.75%; precarious workers: 46.73%); unmanageable level of stress (full workforce: 51.46%; precarious workers: 46.07%); struggling to get up in the morning (full workforce: 38.59%; precarious workers: 35.68%); and sudden mood changes (full workforce: 30.97%; precarious workers: 33.53%) (Table 6.10). As indicated by the relatively large percentages here, the median number of symptoms chosen was two in both groups, suggesting that, once affected, most workers tend to exhibit more than one symptom simultaneously.

Table 6.10: Mental health symptoms reported by workers negatively affected by their work

Symptom	Full workforce	Precarious workers
Feeling sad or down	66.27%	68.37%
Struggling to sleep through the night	53.75%	46.73%
Struggling to get up in the morning	38.59%	35.68%
Sudden mood changes	30.97%	33.53%
Unmanageable level of stress	51.46%	46.07%
Strong anxiety or worry	67.81%	57.28%
Other	3.81%	9.81%
None of the above	0.95%	3.33%
Prefer not to say	1.65%	1.32%

Table 6.11: Negative mental health impact of work and main covariates of interest

Category		Negative mental health impact of work	
		Full workforce	Precarious workers
Sex	Female	42.11%	25.35%
	Male	33.37%	18.81%
Ethnicity and/or immigration status	Not UK-born and/or ethnic minority	37.17%	23.36%
	UK-born White	37.72%	20.95%
Low income	No	40.81%	23.37%
	Yes	26.54%	22.02%
Non-traditional	Non-traditional worker	28.88%	22.50%
	Traditional worker	39.82%	19.77%
Job permanence	Not permanent job	26.43%	18.92%
	Permanent job	40.56%	30.45%
Small workplace	Not small workplace	42.79%	23.53%
	Small workplace	29.13%	21.71%
Trade union or staff association presence	No union or SA	31.10%	18.32%
	Union or SA present	46.06%	32.98%

Looking at the main covariates of interest when cross-tabulating the negative mental health impact of work, there are some patterns that appear in both the full workforce and among precarious workers (Table 6.11). Female respondents (7-9 percentage points), people with permanent jobs (12-14 percentage points), and people working at a workplace with trade union or staff association presence (14-15 percentage points) were significantly more likely to report work-induced mental health problems.

Nevertheless, there are some unique patterns as well. In the full workforce, workers not on low income were significantly more likely (+14 percentage points) to report a negative mental health impact, whilst there was no difference between low income and non-low-income among precarious

workers. Similarly, traditional workers (+11 percentage points) and workers working at larger workplaces (+13 percentage points) in the full workforce were significantly more likely to admit to negative mental health impacts due to their work, but these differences were not present among precarious workers.

The multivariate analysis (Table 6.12) reinforces some of the findings from the crosstabulations above, as well as revealing some new ones. In both the full workforce and among precarious workers, the negative effects of work on mental health appear to first increase with age (the coefficient for age is significant and positive), but this gradually tapers off and then goes into decline (the coefficient for age squared is significant and negative), such that young and older workers experience fewer negative effects than those in middle age. By contrast, having a disability had a statistically significant partial positive association, implying that it increases the chance of work having a negative mental health effect.

Finally, in both the full workforce and among precarious workers, all else being equal, occupational class membership has an association with mental health, with upper-middle class respondents in the full workforce and working-, middle-, and upper-middle-class respondents among precarious workers significantly more likely to report negative impacts, compared to those in the lowest occupational classes. Table 6.13 underlines that those in the lowest occupational classes were significantly less likely to report mental health problems than those in other groups. Notably, such differences are not present for education, suggesting that this has more to do with the type of job one is doing than with cultural expectations.

There were also variables which only emerged as significant in certain models. When fitting the model for precarious workers, we could not find any other significant associations in the 'baseline model'. For the full workforce, controlling for all else, female respondents were more likely and low-income workers less likely to report negative mental health impacts due to work. Ethnicity also showed statistically significant variation: Asian respondents were less likely to report a negative mental health impact due to work, compared with white and mixed ethnicity respondents. Whilst having a union or staff association at the workplace also had a significant positive association with reporting negative mental health impacts in the full workforce, this was only true in the 'baseline' model. This effect disappeared once controlling for bullying and harassment and physical injuries at the workplace, both showing a statistically significant positive association for the full workforce and precarious workers alike. These results indicate that it is not trade union or staff association presence that is the salient factor for negative mental health impacts, but rather having more experience with physical injuries, bullying and harassment at such workplaces. The significant partial association with physical injuries and bullying and harassment suggest that these health and safety-related problems are likely to be clustered.

Table 6.12: Binary logistic regression models for the negative mental health impact of work

Variable	Negative mental health impact of work			
	Full workforce Baseline	Full workforce Deluxe	Precarious workers Baseline	Precarious workers Deluxe
Female	sig. pos.	sig. pos.		
Age	sig. pos.	sig. pos.	sig. pos.	sig. pos.
Age-squared	sig. neg.	sig. neg.	sig. neg.	sig. neg.
Ethnicity	sig. diff.	sig. diff.		
Disability	sig. pos.	sig. pos.	sig. pos.	sig. pos.
Low income	sig. neg.	sig. neg.		
Occupational class	sig. diff.	sig. diff.	sig. diff.	sig. diff.
Trade union or staff association presence	sig. pos.			
Bullying or harassment at the workplace	NA	sig. pos.	NA	sig. pos.
Physical injuries at the workplace	NA	sig. pos.	NA	sig. pos.

Table 6.13: Occupational class membership and negative mental health impact of work

	Full workforce	Precarious workers
Lower-class	22.90%	9.30%
Working-class	35.70%	21.56%
Middle-class	32.79%	26.27%
Upper-middle-class	44.12%	25.04%
Upper-class/elite	35.85%	22.32%

As with work-related physical injuries, we wanted to model the severity of the negative mental health impact using an ordinal outcome variable. The modelling principles for this were the same as for physical injuries so, please refer to the previous section for further details regarding this.

Among both the full workforce and precarious workers, all else being equal, age has a significant negative association with mental health impact severity, suggesting that the older someone gets, the less likely that the negative mental health problem will have a severe impact on their ability to continue working. As with the other multivariate model, all else being equal, having a disability seems to increase the probability of a more severe outcome. Notably, controlling for all else, being in higher occupational classes instead of being lower-class, appears to have a positive association with increased severity as well. In these models, education has a significant association with outcome severity in both groups of workers, with those with a degree or other higher education qualifications significantly more likely to report high severity compared to workers with no qualifications (Table 6.14). This suggests that, in the full workforce and among precarious workers alike, workers who are younger, disabled, from a higher occupational class and with some kind of higher education qualification, are more likely than other workers to report severe mental health effects due to work.

However, there were some other associations unique to one or other of the populations. In the full workforce, all else being equal, being female, having started a new job in the last two years, working somewhere with trade union or staff association presence, and having pre-settled, settled status, or indefinite leave to remain instead of being a UK-born citizen, had a significant positive association with severity, whilst being low-income had a significant negative association. Conversely, precarious workers being currently unemployed exhibited a statistically significant negative association with the severity of negative mental health impacts (Table 6.14).

Table 6.14: Ordinal logistic regression models for the severity of the negative mental health impact of work

Variable	Negative mental health impact of work (severity)	
	Full workforce	Precarious workers
Female	sig. pos.	
Age (in years)	sig. neg.	sig. neg.
Education	sig. diff.	sig. diff.
Right to work	sig. diff.	
Disability	sig. pos.	sig. pos.
Low income	sig. neg.	
Occupational class	sig. diff.	sig. diff.
No current job		sig. neg.
New job (last 2 years)		sig. pos.
Trade union or staff association presence	sig. pos.	

Finally, for a couple of examples of negative mental health effects due to work, please refer to the narrative summaries presented in Textbox 6.3.

Textbox 6.3: Narrative summaries, respondents experiencing negative impact on their mental health due to their work

F is a 58-year-old white male, working in the wholesale and retail industry. Neither **F** nor his co-workers are members of a trade union or staff association. He has three dependants (two below 18). **F** has been permanently employed as a computer engineer in a small workplace. His job is located in the suburbs or outskirts of a big city in the East region of England.

Based on an average of 17 hours of work per week – working across two days – he estimated his monthly income to be around £900. Over the past two years, **F** has not experienced leave-related issues, payslip issues, unfair deductions, or unpaid work.

When it comes to health and safety, fortunately, neither **F** nor his coworkers have experienced physical injuries due to work. He has not been bullied or harassed either. However, his mental health has been negatively impacted by his work, leaving him feeling sad or down and having strong anxiety or worry. Despite this, **F** could carry on working. This has led him, over the past two years, to feel concerned about his mental health, particularly due to an inadequate work-life balance. **F** told us that *‘I found the Monday to Friday 8 - 5 too much after around 40 years of doing so, so have reduced my hours to 2 days and have drawn from my pension to be able to do this’*.

G is a 23-year-old Asian male with a degree-level education, working in the manufacturing industry. Neither **G** nor his coworkers are members of a trade union or staff association. He has no dependants. **G** has disabilities, including substantial difficulties with: lifting, carrying or moving objects; memory, or ability to concentrate, learn or understand; and his physical coordination (e.g. balance).

G started a job in the past two years, for which he received a contract or key information document detailing the terms and conditions of his work ahead of the start date. **G** is currently permanently employed as an electronics design engineer in a small workplace. His job is located in a town or a small city in the South-West region of England.

Based on an average of 40 hours of work per week – working across five days – he estimated his yearly income to be £28,000. Over the past two years, **G** has not encountered leave-related issues, payslip issues, unfair deductions, or unpaid work.

When it comes to health and safety, unfortunately both **G** and his coworkers have experienced physical injuries due to work; despite this, they could carry on working. His mental health has also been negatively impacted by his work, leaving him struggling to get up in the morning, having unmanageable levels of stress, and having strong anxiety or worry. Despite this, **G** could carry on working. In addition, he has been harassed or bullied at work more than 10 times in the past two years, by managers or supervisors. He is concerned for both his physical and mental health, particularly due to an unsafe working environment, inadequate health and safety training, high-intensity work, unmanageable workload, toxic organisational culture, and job insecurity. **G** experienced verbal abuse and unfair treatment, and he mentioned that he was not provided with the right equipment at work, stating: *‘The company is a start-up. It's very difficult work’*.

Bullying and harassment at the workplace

Another area we were especially interested in, was experiences of bullying and harassment at the workplace. We found that close to one-in-four (23.91%) workers in the full workforce reported having been bullied or harassed at work in the past two years, whilst this was less than one-in-five (18.38%) among precarious workers, a statistically significant difference. Considering the number of instances of bullying and harassment reported, it appears that the only statistically significant difference between the full workforce and precarious workers is in relation to having been bullied one to two times, reported as 15.27% in the full workforce and 11.91% among precarious workers (Table 6.15). It is this difference that provides the main explanation for the overall difference between the full workforce and precarious workers – experiences of more frequent bullying are very similar between the two groups.

Table 6.15: Bullying and harassment at the workplace

Construct	Full workforce	Precarious workers
Bullying and harassment at the workplace	23.91%	18.38%
How many times?		
One to two times	15.27%	11.91%
Three to five times	4.46%	3.25%
Six to ten times	1.55%	1.37%
More than ten times	2.63%	1.85%

Another important question regarding bullying and harassment is its source. In the full workforce, it was significantly more likely that manager(s) and supervisor(s) were the culprits (57.55%) compared to precarious workers (33.53%), whilst among precarious workers, the leading source was customer(s) (46.49% compared to 20.19% in the full workforce). The two samples did not significantly differ in regard to co-worker(s) as a source (full workforce: 44.87%; precarious workers: 41.86%) (Table 6.16).

Table 6.16: Source of bullying and harassment at the workplace

Construct	Full workforce	Precarious workers
Manager(s) or supervisor(s)	57.55%	33.53%
Co-worker(s)	44.87%	41.86%
Customer(s)	20.19%	46.49%
Other	3.02%	6.62%
Prefer not to say	6.21%	0.00%

The number of times someone experiences bullying or harassment does not speak to the type of experiences they had. To elucidate this, we can turn to a separate part of our survey, where we asked workers whether they experienced (1) physical abuse, (2) verbal abuse, (3) discrimination or (4) unfair treatment – all of which could be considered to be potential forms of bullying or harassment. Notably, apart from physical abuse, which was at the same level in the full workforce and among precarious workers (2.77% and 2.39% respectively), the prevalence of all other instances was significantly higher in the full workforce compared to among precarious workers. In the full workforce, unfair treatment was the most common experience of the four mentioned (16.44%), whilst this was the second most common among precarious workers (9.66%). The second most common experience in the full workforce (15.72%) and the leading one among precarious workers (12.26%) was verbal abuse. This was followed by discrimination (full workforce: 8.33%; precarious workers: 4.84%), with physical abuse being the rarest experience (as detailed above).

Table 6.17: Bullying- and harassment-related experiences reported by the workers

Construct	Full workforce	Precarious workers
Physical abuse	2.77%	2.39%
Verbal abuse	15.72%	12.26%
Discrimination	8.33%	4.84%
Unfair treatment	16.44%	9.66%

Although we cannot directly tie the bullying- and harassment-related experiences to the instances of harassment reported, it is plausible that these separate variables are related to each other, so examining the overlap between the two should provide useful information. In the full workforce, among those who reported being harassed or bullied at the workplace, around half (49.93%) also said that they were treated unfairly, more than four in ten mentioned verbal abuse (43.59%), more than one in four (28.26%) discrimination, and slightly more than one in twenty (6.63%) physical abuse. This pattern was slightly different among precarious workers, where around half (50.17%) of those who reported having been bullied or harassed at the workplace also reported verbal abuse; a little over one in three (36.61%) unfair treatment; around two in ten (20.72%) discrimination; and around one in ten (9.79%) physical abuse. Finally, we also estimated the share of bullying and harassment experiences that did not overlap with any of these other experiences, which amounted to between a little over a quarter and close to three out of ten, depending on the population (full workforce: 26.56%; precarious workers: 29.11%). In summary, the most common experiences coinciding with bullying and harassment are unfair treatment and verbal abuse, followed by discrimination, and finally, physical abuse. Nevertheless, 27-29% of bullying and harassment experiences appear to be distinct from these four categories.

Table 6.18: Overlap between bullying- and harassment related experiences and reported bullying and harassment

Construct	Full workforce	Precarious workers
Physical abuse and harassment/bullying	6.63%	9.79%
Verbal abuse and harassment/bullying	43.59%	50.17%
Discrimination and harassment/bullying	28.26%	20.72%
Unfair treatment and harassment/bullying	49.93%	36.61%
Harassment/bullying without any overlap with the other categories	26.56%	29.11%

When it comes to associations with influential covariates (Table 6.19), there were some consistent patterns. Females (3.5-5 percentage points), non-UK-born ethnic minority respondents (6-9 percentage points), workers with a permanent job (4.5 percentage points), and those working at a workplace with a union or staff association (10-11 percentage points) were significantly more likely to report bullying and harassment at the workplace, both in the full workforce and among precarious workers.

Although in both populations, traditional workers were significantly more likely than non-traditional workers to report harassment and bullying, the gap was much larger among precarious workers (10 percentage points) compared to the full workforce (2.5 percentage points). In the full workforce, working at a large workplace also increased the share of workers reporting bullying and harassment by 8 percentage points.

Table 6.19: Bullying and harassment at the workplace and main covariates of interest

Category		Bullying and harassment at the workplace	
		Full workforce	Precarious workers
Sex	Female	26.65%	20.09%
	Male	21.53%	16.60%
Ethnicity and/or immigration status	Not UK-born and/or ethnic minority	29.23%	21.48%
	UK-born White	19.97%	15.34%
Low income	No	23.82%	19.46%
	Yes	24.22%	18.27%
Non-traditional	Non-traditional worker	21.85%	17.02%
	Traditional worker	24.47%	27.4%
Job permanence	Not permanent job	20.27%	17.1%
	Permanent job	24.92%	21.67%
Small workplace	Not small workplace	26.95%	18.81%
	Small workplace	19.13%	18.24%
Trade union or staff association presence	No union or SA	19.42%	15.4%
	Union or SA present	29.94%	26.81%

Most of the bivariate associations suggested by Table 6.19 did not emerge as significant in the multivariate modelling. The only variables that, all else being equal, had statistically significant associations across all models were disability and trade union and staff association presence, which were both associated with an increased probability of reporting bullying and harassment.

In the full workforce, all else being equal, having started a new job in the last two years had a statistically significant positive association with having experienced bullying and harassment. We also found that workers with pre- or fully-settled status or indefinite leave to remain were more likely to report bullying and harassment compared to UK-born citizens. Among precarious workers, in the

baseline model, having two or more jobs instead of one job had a statistically significant positive association with bullying and harassment, while being in non-traditional work had a significant negative statistical effect in the 'deluxe' model.

As before, the 'deluxe' models differed from 'baseline' models in that they included the other two main variables of interest in this chapter: physical injuries at the workplace and negative mental health impact of work, both of which emerged as statistically significant positive predictors of bullying and harassment at the workplace (Table 6.20).

Table 6.20: Binary logistic regression models for bullying and harassment at the workplace

Variable	Bullying and harassment at the workplace			
	Full workforce Baseline	Full workforce Deluxe	Precarious workers Baseline	Precarious workers Deluxe
Right to work	sig. diff.	sig. diff.		
Disability	sig. pos.	sig. pos.	sig. pos.	sig. pos.
Non-traditional work				sig. neg.
Two or more jobs			sig. pos.	
New job (last 2 years)	sig. pos.	sig. pos.		
Trade union or staff association presence	sig. pos.	sig. pos.	sig. pos.	sig. pos.
Negative mental health impact of work	NA	sig. pos.	NA	sig. pos.
Physical injury at the workplace	NA	sig. pos.	NA	sig. pos.

Finally, for a couple of examples of bullying or harassment experienced by workers, please refer to the narrative summaries presented in Textbox 6.4.

Textbox 6.4: Narrative summaries, workers experiencing harassment or bullying at the workplace

H is a 62-year-old Asian male, working in the education industry as a tutor in the gig economy. He first came to the UK in 2018 in his mid-50s and has a long-term work visa. He has no dependants but has disabilities, whereby he has substantial difficulties with: lifting, carrying or moving objects; hearing; and communication or speech problems. His job is located in the suburbs or outskirts of a big city in the West Midlands region of England.

Based on an average of 10 hours of work per week – working across three days – he estimated his hourly income to be £8.15/hour post deductions. Over the past two years, **H** has encountered leave-related issues, particularly when trying to take annual leave, sick leave and bereavement leave, stating, ‘*difficult to take the amount of days in the period I want*’. **H** has also experienced issues with unfair deductions, having to pay for several work-related necessities (such as PPE, uniform, fuel, etc.). He was also affected by unpaid work, such as taking part in induction, queuing for security, essential work-related tasks before or after work, and so on.

When it comes to health and safety, **H** didn’t want to disclose details about physical injuries to him or his co-workers. However, he reported that his mental health has been negatively impacted by his work, leaving him struggling to sleep through the night, struggling to get up in the morning, having unmanageable levels of stress, and having strong anxiety or worry. Because of these, **H** had to take a couple of days off work. In addition to this, in the past two years **H** has been harassed or bullied at work on three to five instances by managers or supervisors, co-workers, and customers. He said that he felt worried for both his physical and mental health, particularly due to the high-intensity, inadequate work-life balance, unmanageable workload, toxic organisational culture, and job insecurity of his work. **H** also stated that he has experienced verbal abuse, discrimination, and unfair treatment at work, saying that ‘*some colleagues are very unmindful about others’ wellbeing*’.

J is a 47-year-old Black female, working in the social care industry. She has two dependants (one of whom is below 18) and has disabilities, whereby she has: substantial difficulties with mobility; memory or ability to concentrate, learn or understand; and ‘*arthritis in the spinal*’. She is permanently employed as a carer in a large workplace. Her job is in a big city in the South-West region of England.

Based on an average of 18.22 hours of work per week – working across five days – she estimated her hourly income to be £13.5. **J** also receives Universal Credit. Over the past two years, **J** has not encountered issues with unfair deductions, unpaid work, payslips, or leave-related issues.

When it comes to health and safety, **J** has not experienced any physical injuries in the past two years, but her coworkers have, although they could carry on working. **J** has had her mental health negatively impacted by her work, causing her to struggle to sleep through the night, having to cope with unmanageable levels of stress, and strong anxiety or worry. Despite this, **J** could carry on working. Over the past two years, she has also been concerned for both her physical and mental health. In addition to all of this, **J** has been harassed or bullied at work on one to two occasions by managers or supervisors. **J** also experienced discrimination in her workplace, adding: ‘*in the work place it would be good if managers and supervisors could listen to their workers especially the ones that go out to get the jobs done*’.

Concerns regarding mental and physical health at work

Our final variable of interest in this chapter focusses on workers' concerns regarding their mental and physical health. Unlike the other variables discussed so far, this measure is about people's fears. These questions are useful as they are better suited to identify issues that may or may not be currently causing problems, but might do so in the future, and reflect well where people's concerns for their own health lie.

As shown in Table 6.21, around four in ten (41.26%) of workers in the full workforce, and three in ten (30.73%) of precarious workers, expressed concerns: about their physical health (full workforce: 6.21%; precarious workers: 8.31%), mental health (full workforce: 21.21%; precarious workers: 11.66%), or both (full workforce: 13.84%; precarious workers: 10.76%). The statistically significantly lower share of concern among people in precarious work (30.73% compared to 41.26% in the full workforce) is primarily attributable to the almost 10 percentage point gap between the two populations in their concern regarding mental health.

Table 6.21: Worker concern(s) regarding their mental and physical health due to their work

Construct	Full workforce	Precarious workers
Yes, physical health	6.21%	8.31%
Yes, mental health	21.21%	11.66%
Yes, both physical and mental health	13.84%	10.76%
No, I have not been concerned for my physical or mental health due to work	58.67%	69.00%
Don't know	0.02%	0.22%
Prefer not to say	0.05%	0.05%

Table 6.22: Overlap between worker concern(s) regarding mental and physical health due to their work and reported physical injury and/or negative mental health impact

Construct	Physical injury at the workplace		Negative mental health impact of work		Both physical injury and negative mental health		Neither physical injury nor negative mental health	
	Full workf.	Prec. work.	Full workf.	Prec. work.	Full workf.	Prec. work.	Full workf.	Prec. work.
Yes, physical health	14.32%	19.5%	4.53%	4.81%	8.52%	3.13%	5.31%	6.44%
Yes, mental health	18.63%	18.82%	48.03%	39.70%	30.97%	33.36%	5.26%	3.53%
Yes, both physical and mental health	29.44%	29.93%	31.23%	36.85%	48.54%	56.09%	2.89%	3.15%
No, I have not been concerned for my physical or mental health due to work	37.61%	31.75%	16.21%	18.64%	11.98%	7.42%	86.41%	86.49%

As we know from the survey who reported physical injury and/or negative mental health impact due to work, we can check the overlap between these experiences and worker anticipations (Table 6.22). Focussing on the last column in Table 6.22, among those who reported neither a physical injury (to self or co-workers) nor negative mental health impact due to work, around 13% reported any kind of concern (both in the full workforce and among precarious workers). Conversely, 88-93% of those reporting both a physical injury and negative mental health impact due to work had concerns, followed by those who only had issue(s) with their mental health due to their work (81-84%), and then those who only indicated a physical injury due to work, that was suffered by themselves or their co-workers (62-68%). This suggests that negative mental health impact due to work is more likely to generate concerns than physical injuries to the self or a co-worker.

Table 6.23: Reasons for worker concern(s) regarding their mental and physical health due to their work

Construct	Full workforce	Precarious workers
Being asked to do dangerous jobs or tasks	5.35%	4.28%
Unsafe working environment	7.86%	7.52%
Inadequate health and safety training	4.49%	6.42%
Insufficient rest breaks	17.83%	21.42%
High-intensity work	49.26%	34.60%
Inadequate work-life balance	40.22%	29.66%
Unmanageable workload	40.39%	17.13%
Toxic organisational culture	34.42%	18.55%
Job insecurity	18.04%	18.83%
Fire hazard	1.07%	0.86%
Inadequate PPE (personal protective equipment)	2.47%	1.89%
Other	13.25%	20.81%

We also asked respondents what gave them a reason for concern. Multiple options could be selected, but the median number of reasons was one, suggesting that a typical worker only had a single concern in both worker populations. Although there were differences in the relative frequency for each group, the most common reasons were largely similar in the full workforce and among precarious workers. High intensity work (full workforce: 49.26%; precarious workers: 34.6%) and inadequate work-life balance (full workforce: 40.22%; precarious workers: 29.66%) led the pack in both populations. The third most common in the full workforce was toxic organisational culture, which was fifth among precarious workers (full workforce: 34.42%; precarious workers: 18.55%). The fourth most common reason was job insecurity in (full workforce: 18.04%; precarious workers: 18.83%) and insufficient rest breaks was the third most common for precarious workers and fifth most common in the full workforce (full workforce: 17.83%; precarious workers: 21.42%). Notably, physical and environmental requirements of the jobs, such as unsafe working environment (7.5-8%), inadequate health and safety training (4.5-6.5%) and PPE (2-2.5%), dangerous jobs or tasks (4-5.5%), and fire hazard (1%) were all much less common, with some of them barely featuring (Table 6.23).

Summary of the key findings

Physical injury at the workplace

The overall level of physical injury due to work (which covers injuries to self and co-workers alike) did not significantly differ between the full workforce and precarious workers (full workforce 16.4%; precarious workers: 15.21%). The similarity of the headline figures masks that in the full workforce there is a slightly, but significantly higher share of respondents reporting co-workers being injured (full workforce: 14.61%; precarious workers: 11.65%) and those injuries are likely to be more severe (proportion of (co-)workers who could carry on working post-injury, full workforce: 57.79%; precarious workers: 66.74%).

Both in the full workforce and among precarious workers, the location of the job and industry-level differences were associated with the experience of work-related physical injuries. We found evidence that the location of the job can be a protective factor, such as in the case of working remotely or at varying workplaces (among precarious workers), but in other cases, location could be associated with increased risk of injuries, such as in the full workforce, where working in a town or a suburb instead of a big city appeared riskier. Similarly, certain industries seem to be inherently riskier (such as Transport), whilst others are less so (such as Information and Communications or Finance). Finally, a closer look at injury severity suggested that younger workers are more likely to experience or be exposed to a more serious injury at the workplace.

Negative mental health impact of work

For the negative mental health impacts of work, we found a sizable and statistically significant gap between the full workforce and precarious workers, the former leading in prevalence by more than 15 percentage points (full workforce: 37.49%; precarious workers: 22.14%). However, there was a slightly (but not significantly) more severe impact profile among precarious workers compared to the full workforce (proportion of workers who could carry on working after the negative mental health impact, full workforce: 67.05%; precarious workers: 61.45%). The resulting symptoms from the negative mental health impacts were largely similar in kind and frequency between our two populations of interest. Among those affected by negative mental health impacts of work, the most common symptoms were feeling sad or down (full workforce: 66.27%; precarious workers: 68.37%), strong anxiety or worry (full workforce: 67.81%; precarious workers: 57.28%), struggling to sleep through the night (full workforce: 53.75%; precarious workers: 46.73%), and unmanageable level of stress (full workforce: 51.46%; precarious workers: 46.07%).

As with physical injuries, having a permanent job and trade union and staff association presence is associated with a higher probability of negative mental health impacts; however, these results were not sufficiently robust to stay significant in the multivariate analysis. Instead, the multivariate modelling suggested that older workers are more likely to report negative mental health impacts, although that is tempered by a negative curvilinear relationship with age, suggesting that the youngest and oldest respondents are less likely to be affected than those in middle age. Other consistent findings included disability being an aggravating factor, and a stark divide between occupational classes, with lower-class members significantly less likely to report negative mental health impacts compared with other higher occupational classes. The modelling for the severity of the negative mental health impacts also identified the same variables as significant: age, disability, and occupational class being influential in similar ways, complemented by the level of education, with workers with higher educational qualifications more likely to report severe impacts.

Bullying and harassment at the workplace

Workers in the full workforce were significantly more likely to report bullying and harassment (23.91%) compared to precarious workers (18.38%). The source of bullying was different in the full workforce, with managers and supervisors being the most common culprits (full workforce: 57.55%; precarious workers: 33.53%) compared to precarious workers, where harassment and bullying was more likely to come from customer(s) (full workforce: 20.19%; precarious workers: 46.49%). The results suggest that probably the most common manifestations of bullying and harassment are unfair treatment and verbal abuse, with between 37-50% of the participants reporting bullying and harassment also mentioning either of these.

The multivariate modelling suggests that living with a disability and working at a workplace with trade union or staff association presence makes it more likely that workers will report bullying and harassment, in the full workforce and among precarious workers alike.

Clustered experiences of health and safety-related issues and mistreatment at work

Notably, all 'deluxe' multivariate models suggested that physical injury at the workplace, negative mental health impact due to work, and workplace bullying and harassment are highly correlated, and remain so even after controlling for a long list of other covariates. This suggests that finding evidence for one of these, means there is a good chance of encountering the other two as well, which should make their identification easier. This is likely to be a germane task, as the correlation between the variables implies a likely compounding of harms.

Work-related concerns regarding mental and physical health

Finally, we also considered people's concerns regarding their mental and physical health in relation to their work. There appeared to be an around 10 percentage point difference in concern between the full workforce and precarious workers in the prevalence of such concern(s) (full workforce: 41.26%; precarious workers: 30.73%), largely attributable to the different levels of work-induced mental health problems in the two groups.

The concerns appear to be dominated by hazards associated with procedural matters of work (i.e. how the work is being done), such as high intensity work (35-49%) and inadequate work-life balance (30-40%), while traditional physical safety concerns, such as fire hazard (ca. 1%), being asked to do dangerous jobs (4-5%), or inadequate health and safety training (4-6%) feature far less frequently.

Chapter 7: Non-traditional work – A deep-dive into agency, self-employed, and gig economy workers

Chapter summary

Non-traditional work is one of the key components of precarious work according to both our definition and the wider academic literature. In this chapter, we provide deep-dives into two main forms of non-traditional work: agency work on the one hand, and self-employment, gig work, and platform work on the other. As demonstrated by the various ways we measured non-traditional work, both agency work and self-employment/gig/platform work are difficult to capture consistently as workers do not necessarily identify with the type of work that they are pursuing, suggesting that extra care needs to be taken when measuring these types of activities in the labour market. For agency workers, we found that a significant share of them are required to pay fees – chief among them work finding fees, even though these tended to be one-off payments. Based on our analysis, agency workers rarely knowingly receive their pay from third-party organisations or 'umbrella companies', although a widespread lack of knowledge regarding where payments are coming from appears to be a real limitation. There are longstanding concerns around labour market segmentation and fissuring, which place large numbers of workers in low-wage and insecure jobs with much more limited rights, entitlements and protections than traditional employment offers. Bogus self-employment is also a particular concern. Simultaneously, a significant number of non-traditional workers appear to actively pursue such work, and our findings bear this out with the 'love of the job' being the most commonly cited motivation for self-employed/gig/platform workers both in the full workforce and among precarious workers alike. Nevertheless, we also find evidence that a significant minority of self-employed people are in this type of work due to a lack of viable alternatives. A majority of self-employed/gig/platform workers said that either they have full control over setting their own fees or prices or they can negotiate them, with only a comparatively small share of them not having influence over their fees.

Non-traditional work – An introduction

Non-traditional work (sometimes referred to as non-standard work) is widely regarded as one of the key determinants of precariousness in work (Kalleberg, 2018; Kalleberg and Vallas, 2018; Pósch et al., 2022a). Accordingly, non-traditional work was also a key criterion in how we operationalised 'precarious workers' for the current study. Within our definition of precarious work (see Chapter 3), non-traditional refers to a UK worker who has multiple jobs and/or is not an employee.

For the purposes of this chapter, we focus on two core areas of non-traditional work: 1) agency work; and 2) self-employment, gig economy and platform work. We do so because these receive the most attention from policy-makers and because high-quality data on them is fairly limited.

Contrary to expectations, we established that the proportion of precarious workers in the UK workforce has been remarkably stable – with 10-11.7% of the workforce being precarious workers between 2009 and 2022 (Pósch et al., 2024) – a great deal of attention has been directed at non-traditional work of late, largely because of its association with precarity, non-compliance and broader work-based harm (Pósch et al., 2022a).

There is concern around labour market 'segmentation' (Piore, 1979) and 'fissuring' (Weil, 2014): which place large numbers of workers, respectively, in low-wage and insecure jobs and within an increasingly fragmented and opaque chain of command and responsibility. This segmentation and

fissuring can act as a considerable barrier to justice in the face of non-compliance, especially given how limited union membership is for non-traditional workers in the UK and how individualised yet complex the employment relationship can be (Pollert, 2005, 2007; Pósch et al., 2024; Wight, 2013).

It is also worth noting that non-traditional work is so often discussed pejoratively, even though (as we will show below) significant numbers of non-traditional workers appear to actively choose such work.

Legal context

‘Traditional work’ is generally associated with the ‘standard employment relationship’ which is characterised by full-time employment with an open-ended (i.e. indefinite rather than for a fixed-term) contract of employment with a single, direct employer, working stable, consistent hours, and often in unionised workplaces. In recent decades, a wide range of different forms of work outside of this traditional paradigm have proliferated. Technological developments as well as economic and social changes have changed the way many work relations are organised in ways that do not share some or all of the main characteristics of ‘traditional work’. These changes and the forms of work they have produced do not always map easily onto the formal legal classification of different employment statuses.

UK employment law contains three overarching categories of employment status: employee, ‘limb (b)’ worker, and a residual category of the self-employed. An employee is a person who works under a contract of employment (sometimes referred to as a contract of service) or apprenticeship.¹¹² There is a large body of case law developing the relevant tests of control, subordination, mutuality of obligation, inconsistent terms, and economic risk. A ‘limb (b)’ worker is defined as any individual who undertakes to do or personally perform any work or services for another party to the contract whose status is not by virtue of the contract that of a client or customer of any profession or business undertaking carried on by the individual. Self-employed contractors work under contract for services and fall outside the scope of employee and ‘limb (b)’ workers.¹¹³

Other forms of non-traditional work traverse the three central categories of employment status. Work in the gig economy is generally considered to be task-based work that is organised, directed and paid through an online platform. A ‘gig worker’ is not expressly recognised as an employment status and is not subject to a tailored legal framework. Different gig workers have been classified as ‘limb (b)’ workers¹¹⁴ and as self-employed contractors.¹¹⁵ Similarly a ‘zero-hour contract worker’ – that is where there is no contractual obligation on the employer to guarantee or offer any work - is not a recognised employment status; a person working on a zero-hour contract can be classified as an employee, ‘limb (b)’ worker, or self-employed. Work may also be organised on a seasonal basis e.g. in agriculture or hospitality, and, again, can be classified under any of the three employment statuses.

An agency worker has a statutory definition for the purposes of the Agency Workers Regulations 2010 in regulation 3 (and regulation 3 of the Agency Workers Regulations (Northern Ireland) 2011) as an individual who is supplied by an employment agency or employment business to work temporarily for and under the supervision and direction of a hirer and has a contract with the employment agency

¹¹² ERA 1996 section 230(1)-(2); ERO (NI) 1996 article 3(1)-(2).

¹¹³ ERA 1996 section 230(3)(b); ERO (NI) 1996 article 3(3)(b).

¹¹⁴ *Uber v Aslam* [2021] UKSC 5.

¹¹⁵ *Independent Workers Union of Great Britain v Central Arbitration Committee and another* [2023] UKSC 43 [Deliveroo (UKSC)]

(which finds work for work-seekers who are employed and paid by employers, with exceptions in entertainment and modelling) or employment business (which employ and pay a work-seeker under a contract who then works temporarily under the supervision of someone else). This can be under a contract of employment, or a contract to perform work or services personally. The latter means that ‘limb b’ workers and some self-employed workers fall within the scope of the regulations. However, the genuinely self-employed operating a business undertaking on their own account, such that the temporary work agency or hirer is a client or customer of their business, are excluded.

The different rights applicable to someone depends on the legal classification of their employment status (see Chapter 2). Only employees have access to the full panoply of rights. ‘Limb (b)’ workers have access to a more limited range of rights, including NMW, payslips and contracts, working time rights, and whistleblowing protections. Self-employed contractors are not entitled to employment rights (e.g. NMW) but health and safety protections still apply and anti-discrimination protections may still apply to them.

Some specific protections are provided in non-traditional work contexts. Agency workers are afforded a range of rights in the Employment Agencies Act 1973 (and Employment (Miscellaneous Provisions) (Northern Ireland) Order 1981), Conduct of Employment Agencies and Employment Businesses Regulations 2003 (and Conduct of Employment Agencies and Employment Businesses Regulations (Northern Ireland) 2005), and Agency Worker Regulations 2010 (and Agency Worker Regulations (Northern Ireland) 2011). These rights include a prohibition on recruitment fees¹¹⁶ and the right to agreed terms in a written document.¹¹⁷ The former Employment Agency Standards Inspectorate (since abolished and its functions are now within the FWA) and the Employment Agency Inspectorate enforce agency worker legislation, apart from the Agency Worker Regulation 2010 and Agency Worker Regulation (Northern Ireland) 2011.

Fixed-term employees are protected from less favourable treatment by the Fixed-term Employees (Prevention of Less Favourable Treatment) Regulations 2002 and the Fixed-term Employees (Prevention of Less Favourable Treatment) Regulations (Northern Ireland) 2002. Part-time employees are protected from less favourable treatment by the Part-time Workers (Prevention of Less Favourable Treatment) Regulations 2000 and Part-time Workers (Prevention of Less Favourable Treatment) Regulations (Northern Ireland) 2000. The rights conferred under each piece of legislation are enforced by tribunals claims.

Until the passing of the Employment Rights Act 2025, zero-hour contracts have largely been unregulated apart from a ban on exclusivity clauses (which is not applicable in Northern Ireland).¹¹⁸ Important changes to the regulation of zero-hour contracts are expected to take effect in 2027. Section 1 contains a right for certain qualifying workers to be offered guaranteed hours by their employer, including an obligation on employers to take reasonable steps within a specified period to ensure that workers who may qualify are aware of this right. Workers can enforce the duty to make a guaranteed hours offer through a claim to the Employment Tribunal. Section 2 contains rights to reasonable notice of being required to work a shift, a shift being cancelled or a shift being changed. This right is enforced by a complaint to the Employment Tribunal. Section 3 requires employer to make

¹¹⁶ Employment Agencies Act 1973 section 6; Employment (Miscellaneous Provisions) (Northern Ireland) Order 1981 article 7.

¹¹⁷ Conduct of Employment Agencies and Employment Businesses Regulations 2003 regulation 14-16; Conduct of Employment Agencies and Employment Businesses Regulations (Northern Ireland) 2005 regulation 14-16.

¹¹⁸ ERA 1996 section 27A(3).

a payment to workers each time they cancel, move or curtail a shift at short notice. This right is enforced by a complaint to the Employment Tribunal. Under section 4 and Schedule A1, similar rights tailored to agency workers will be introduced. None of these changes apply to Northern Ireland.

Headline findings

Agency workers

As described above, we used two different measures to estimate the share of agency workers in the workforce. The first one asked people to self-identify using a list of worker types. Using this measure, in the full workforce, around 1.1% of workers, and among precarious workers, around 7% picked the agency worker category. However, at a later point in the survey, we asked all workers again to potentially self-identify with an explicit definition of what an agency worker is (i.e. ‘employed through an employment agency’). Using this measure, the previous numbers grew almost fourfold¹¹⁹ to approximately 4.1% in the full workforce and almost twofold among precarious workers to around 12.6% (Table 7.1). Only those who identified themselves based on the definition were given the follow-up questions regarding agency work so, the second measurement was used for agency workers.

Table 7.1: Agency workers

Construct	Full workforce	Precarious workers
Agency worker (chosen from a list)	1.08%	6.96%
Agency worker (based on a definition)	4.09%	12.58%

A recent concern regarding agency workers is the presence of ‘umbrella companies’. These are third-party organisations that are neither the agency nor the end employer, but which pay the worker’s wages. However, we did not find much evidence for this. Most frequently, agency workers were paid directly by their agency (full workforce: 56.14%; precarious workers: 64.89%), with approximately a quarter of them being paid by the organisation they worked for (full workforce: 24.25%; precarious workers: 24.47%). Third-party organisations were mentioned by fewer than one-in-ten workers in the full workforce (8.09%) and less than one-in-twenty among precarious workers (3.65%) with fewer respondents mentioning this than those who said that they did not know who paid them (full workforce: 10.59%; precarious workers: 6.99%). All in all, agency workers in the full workforce and among precarious workers did not significantly differ from each other in their source of payment (Table 7.2).

¹¹⁹ In the sample, only 3% of agency workers (i.e. 3 people) picked that they were agency workers from the list but then did not confirm this when asked to identify based on the definition.

We also asked agency workers regarding how they were being paid. Here, we found that precarious agency workers were significantly more likely to get paid job-by-job (82.44%) compared to agency workers in the full workforce (72.9%), who, by contrast, were more likely to receive payment on a continuous basis (full workforce: 27.1%, precarious workers: 17.56%) (Table 7.2). The latter indicates a greater degree of economic stability for agency workers in the full workforce.

Table 7.2: Agency workers' source and mode of payment and agency location

	Full workforce	Precarious workers
Source of payment		
By organisation	24.25%	24.47%
By agency	56.14%	64.89%
By third organisation	8.09%	3.65%
Other	0.93%	0.00%
Don't know	10.59%	6.99%
Mode of payment		
Continuous basis	27.1%	17.56%
Job-by-job	72.9%	82.44%

In the full workforce and among precarious workers alike, around six out of ten workers (full workforce: 61.22%; precarious workers: 61.4%) only worked for a single agency. The main (but still not statistically significant) difference between the two groups was that 9.21% of precarious agency workers worked for more than five agencies, which, in comparison, was only 2.75% in the full workforce (Table 7.3).

Another persistent question regarding agency workers is the number of them working through foreign agencies operating in the UK. Notably, we needed to rely on the self-reporting of individual workers who are unlikely to be able to tell whether they work for an overseas agency operating in the UK or identify whether a particular online job-matching site that they might be using is wholly or partially based outside the UK, etc. With this caveat considered, we found scant evidence that people exclusively worked for agencies based abroad: only 0.18% of agency workers in the full workforce and 0.93% among precarious workers reported this. The most common answer was working for a UK-based agency with nine-out-of-ten agency workers choosing this (full workforce: 91.26%; precarious workers: 90.13%). However, we also found evidence that some agency workers received jobs from both UK- and foreign-based agencies (full workforce: 5.97%; precarious workers: 8.28%) (Table 7.3).

Table 7.3: Number of agencies the worker works for and the location of the agency

	Full workforce	Precarious workers
One	61.22%	61.4%
Two	25.13%	16.48%
Three	9.32%	5.72%
Four	1.58%	7.20%
Five	0.00%	0.00%
More than five	2.75%	9.21%
In UK	91.26%	90.13%
Abroad	0.18%	0.93%
Both	5.97%	8.28%
Don't know	2.59%	0.66%

Another main concern regarding agency workers is the fees associated with their work. We measured these separately from unfair deductions and asked agency workers about them specifically, as these fees have a distinct legal status. Although there were some apparent differences between the full workforce and precarious workers in the distribution of responses, none of these were statistically significant. In both populations, around a fifth to a quarter of agency workers (full workforce: 21.47%; precarious workers: 27.12%) said that they had to pay fees. The most common reason for payment in both groups was compensating agencies for work finding fees with more than one-in-twenty agency workers reporting this in the full workforce (6.75%) and more than one-in-ten (12.14%) among precarious workers, despite this being a clear legal violation if the agency in question is UK-based. Of those who were asked to pay a work finding fee, only a single person (full workforce: 0.5 percentage point; precarious workers: 0.8 percentage point) said that they paid this to an agency operating abroad, the rest all suggested that they paid this fee to a UK-based agency. None of the other specific reasons affected 5% or more agency workers, but we found evidence for agency workers paying for a wide range of things from their visas, their right to work, training, equipment, and so on (Table 7.4).

We also asked how many times workers need(ed) to pay for each category on the list. We found that for certain ones most agency workers only needed to pay once. For instance, all respondents affected by visa fees said that they only needed to pay for a visa once, and among precarious workers, all agency workers only needed to pay once for their right to work or permit to work and for interest/fees. Precarious workers were more likely to indicate that they were asked for one-off payments compared to agency workers in the full workforce. This was true for paying for training (full workforce: 38.78%;

precarious workers: 72.18%), equipment (full workforce: 21.32%; precarious workers: 72.04%), or paying interest or fees (full workforce: 40.67%; precarious workers: 89.0%). A very similar share of job finding fees was one-off in the full workforce (45.08%) and among precarious workers (46.15%). However, there were other categories where one-off payments were either non-existent, such as paying for travel, or dominated by continuous payments such as ongoing fees (full workforce: 3.82%; precarious workers: 21.81%) or paying for accommodation (full workforce: 28.52%; precarious workers: 0%).

Table 7.4: Agency work-related charges and proportion of one-off payment

	Share of agency workers affected		Proportion of agency workers who provided one-off payments to agencies	
	Full workforce	Precarious workers	Full workforce	Precarious workers
Work finding fee	6.75%	12.14%	45.08%	46.15%
Visa	0.39%	1.17%	100%	100%
Right to or permit to work	3.05%	0.86%	66.93%	100%
Training	2.79%	1.98%	38.78%	72.18%
Equipment	1.48%	1.97%	21.32%	72.04%
Uniform	2.28%	1.48%	29.53%	30.72%
Ongoing fees	3.81%	3.58%	3.82%	21.81%
Interest/fees	1.06%	1.43%	40.67%	89%
Accommodation	1.19%	1.84%	28.52%	0%
Travel	3.33%	2.12%	0%	0%
Not sure of the reason	2.16%	1.56%	41.21%	81.64%
Other	3.90%	6.60%	45.08%	46.15%
None of the above	78.53%	72.88%		

With one-off payments, with the particular exception of work finding fees it is hard to gauge whether the charge was reasonable or unreasonable, legal or illegal, as more detail on context would be required.

Table 7.5: Median hourly costs (in pounds) for ongoing charges to agency workers (of those affected)

Median hourly cost (in pounds)		
	Full workforce	Precarious workers
Work finding fee	£0.59	£0.58
Visa	NA	NA
Right to or permit to work	£0.61	NA
Training	£1.22	£1.40
Equipment	£1.78	£0.51
Uniform	£1.23	£0.10
Ongoing fees	£0.73	£0.76
Interest/fees	£2.00	NA
Accommodation	£0.89	£1.24
Travel	£0.67	£3.30
Not sure of the reason	£0.57	£3.00
Other	£0.59	£0.58

By contrast, with ongoing payments we can estimate the approximate hourly cost of each depending on the number of hours that each respondent reported working. Crucially, for these estimates we did not ask respondents whether they looked reasonable to them which led to, on occasion, extreme values being suggested (e.g. hundreds of pounds spent on accommodation for each hour worked), but we removed these as these were likely data entry errors. This, however, also means that the numbers in Table 7.5 could be significantly different from the picture at large, especially as in some cases only a couple of people reported paying each of them. All in all, we would advise taking the results in Table 7.5 as only indicative but not definitive regarding the magnitude of the fees.

Textbox 7.1 provides narrative summaries of the experiences of agency workers.

Textbox 7.1: Narrative summaries, agency worker survey respondents

K is a 51-year-old White male, working in the arts industry. **K** has no disabilities. **K** has been working through an agency as a voice-over artist and video editor. His job is located in a country village in the South-West region of England.

Based on an average of 16 hours of work per week – working across 1 day – he estimated his yearly income to be around £5/hour after all deductions having been considered. **K** is also supported by job seeker's allowance and universal credit to top up his income. As an agency worker, **K** has been working for a single agency which is based abroad. He gets paid on a job-by-job basis and in the last two years, **K** was charged by the agency for work finding fees (£50/one-off).

Alongside his agency work, he has used a website, platform, or app to deliver food and drink from restaurants and food outlets to people, in order to make some extra money. For this work, the rates/prices were determined by the platform, website, or app. When asked about the reasons for doing this work, he said that this is because he wants to build his own business. Additionally, when asked whether or not he would rather be employed on the same terms as an employee if he had the chance, **K** said no.

Over the past two years, **K** has not encountered unfair deductions or leave-related issues. He has, however, experienced issues with payslips, particularly since he does not routinely receive payslips. Additionally, **K** has encountered issues with unpaid work: his work-related travel was not paid for (1 hour weekly).

When it comes to health and safety, **K** has not reported issues with either his physical or mental health. He has also not been bullied or harassed at work. However, over the past 2 years, he has been concerned for his mental health, particularly because of the inadequate work-life balance. Neither **K** nor his coworkers are members of a union or staff association.

L is a 36-year-old Asian female, working in the social care industry. She has 1 dependant who is below the age of 18, and **L** has no disabilities. **L** has been working through an agency as a family support worker. Her job is located in a town or small city in the West-Midlands region of England.

Based on an average of 22 hours of work per week – working across 4 days – she estimated her yearly income to be £14,400. As an agency worker in the past 2 years, **L** has worked for two agencies in the UK. She gets paid on a job-by-job basis by a third-party organisation. Additionally, in the last two years, **L** has been charged by the agency for ongoing fees for employment (£50/week).

Over the past two years, **L** has not encountered issues with other unfair deductions, unpaid work, payslips, or leave-related issues. When it comes to health and safety, **L** has not experienced any issues with either her physical or mental health in the past two years, nor has she been bullied or harassed at work, nor worried about her physical or mental health. **L** is not a member of a trade union or staff association; however, her coworkers are.

Self-employed, gig-economy, and platform workers

In the full workforce, around one in ten workers (9.61%) self-identified as self-employed and less than 1% (0.84%) as a gig or platform economy worker. Both of these numbers are five times higher among precarious workers, with half of them self-identifying as self-employed (51.34%) and one-in-twenty (4.99%) as a gig or platform economy worker.

In a question discussed below and detailed in Table 7.7, we also asked self-employed and gig economy workers about the proportion of workers whose work was enabled by a website, platform, or app. We call these workers ‘platform workers’ and they amount to less than one-in-twenty (4.08%) workers in the full workforce and a little over one-in-five (22.22%) among precarious workers (Table 7.6). These results both speak to the variety of ways that self-employed and gig type work can be measured and also the limitations when workers are asked to self-identify. Even further complicating matters, in many cases a gig economy worker would be right to self-identify instead as self-employed and some might prefer to do so due to the potentially pejorative connotations of gig work.

Table 7.6: Self-employed, gig or platform economy worker, platform worker

Construct	Full workforce	Precarious workers
Self-employed	9.61%	51.34%
Gig or platform economy worker	0.84%	4.99%
Platform worker	4.08%	22.22%

As shown in Table 7.7, both in the full workforce and among precarious workers, around six out of ten workers (full workforce: 59.98%; precarious workers: 59.81%) did not rely on a website, platform, or app for their work. Of those who did, the most common type of work was non-manual tasks (16-20%), followed by manual tasks (7.5-8.5%), with other tasks (7%) as the third most common type. However, if one considers delivery roles (passengers, food, or courier) together, they amount to around 10-12%, making this the second most common reason for platform use (Table 7.7). Notably, the full workforce and precarious workers did not differ in the distribution of these types of work.

Table 7.7: Type of work enabled using a website, platform, or app among self-employed and gig economy workers

	Full workforce	Precarious workers
Carried passengers	4.40%	6.23%
Delivered food	3.92%	3.51%
Courier services	2.13%	1.99%
Manual tasks	7.51%	8.41%
Non-manual tasks	19.99%	16.27%
Other	7.02%	7.02%
Not used platform	59.98%	59.81%

Being able to determine one's own rates is a sign of autonomy and financial independence. There was a notable and surprising similarity between the ability to do so among self-employed, gig, and platform workers in the full workforce and among precarious workers: around six-out-of-ten (full workforce: 58.41%; precarious workers: 57.28%) could set their own rates and around a quarter (full workforce: 24.91%; precarious workers: 24.1%) had a chance to negotiate them. Only around 16-17% said that their rates were determined by the platform (Table 7.8).

Table 7.8: Ability to set own rates

	Full workforce	Precarious workers
Set own rates	58.41%	57.28%
Negotiated with customer	24.91%	24.1%
Platform determined	15.79%	16.90%
Other	9.28%	8.99%

It is often debated whether self-employment is something done by choice or necessity. Thus, we asked workers to categorise their motivation(s) for pursuing self-employed/gig/platform work. Again, we were surprised by the lack of difference between the full workforce and precarious workers, with members of the two populations providing very similar answers. By far the most common reason mentioned by self-employed/gig/platform workers was the love of the job (55-56%) with the second most common reason being building a business (23-25%). Among precarious workers, the third most common reason was caring responsibilities (18.08%) which was the only statistically significant difference compared to the full workforce (11.20%) where it was the fourth most common reason. Supplementing income was the third most frequently mentioned motivation in the full workforce (16.37%) and the fourth most common among precarious workers (13.18%). The fifth reason for both groups was no better jobs being available with one-in-ten workers choosing this (full workforce: 10.54%; precarious workers: 12.10%) with other reasons less frequently mentioned (Table 7.9).

Table 7.9: Reasons for doing self-employed/gig/platform work

	Full workforce	Precarious workers
Love job	56.19%	55.36%
No better jobs	10.54%	12.10%
Could lead to full-time	5.33%	4.91%
Work shifted by employer	1.27%	0.80%
Includes training	2.83%	2.44%
Caring responsibilities	11.20%	18.08%
Supplement income	16.37%	13.18%
Build business	24.73%	22.86%
Other	17.11%	14.34%

Finally, we also asked whether self-employed/gig/platform workers would consider becoming an employee instead if they had the choice. Precarious workers were statistically significantly less likely than those in the full workforce to state ‘no, I would not want to be an employee’, still more than half of them did so (full workforce: 57.53%; precarious workers: 51.48%). In all other categories, the two populations did not significantly differ from each other, with similar shares implying that this could not be done/would not be applicable (full workforce: 9.73%; precarious workers: 8.28%), and, more commonly, stating that they would rather be an employee (full workforce: 16.45%; precarious workers: 21.09%), and remaining undecided (full workforce: 14.32%; precarious workers: 15.62%) (Table 7.10). The relatively large proportion of ‘don’t know’ responses signals considerable uncertainty among the respondents regarding this question who may or may not have understood what this change might involve¹²⁰.

Table 7.10: Self-employed/gig/platform worker views on becoming an employee

	Full workforce	Precarious workers
No, I would not want to be an employee	57.53%	51.48%
Yes, I would rather be an employee	16.45%	21.09%
My work cannot be done as an employee/Not applicable	9.73%	8.28%
Other	1.97%	3.53%
Don’t know	14.32%	15.62%

In Textbox 7.2 we present narratives regarding the experiences of self-employed/gig/platform workers.

¹²⁰ This question was not part of the question testing and was added on a later date at the request of the former ODLME team.

Textbox 7.2: Narrative summaries self-employed/gig/platform workers

M is a 54-year-old White female, working as a nail technician. She has no dependants, nor does she have any disabilities. Her job is located in a town or small city in Yorkshire/Humberside.

Based on an average of 24 hours of work per week – working across 5 days – she estimated her hourly income to be £12. **M** is self-employed, sets her own rates/prices and has not used a website, platform, or app to make money. When asked about the reasons for doing self-employed work, she stated, *'I've always done it, and feel too old to retrain'*. **M** didn't know whether she'd rather work as an employee had she had the chance. Over the past two years, **M** has not encountered issues with unfair deductions, unpaid work, payslips, or leave-related issues.

When it comes to health and safety, in the past two years **M** has not experienced any issues with her physical health due to work. However, she has encountered issues with her mental health but she was able to carry on working. **M** has not been bullied or harassed at work. Nevertheless, she has been concerned for both her physical and mental health, due to *'loneliness working alone, worrying about money'*. **M** is not a member of a union or staff association. At the end of the survey, **M** told us that *'I have only ever earned enough to get by. I have no pension. And still pay a mortgage, I live alone. I have always supported myself. I fear I may take ill and not be able to continue. I have already survived breast cancer in 2022 and managed to keep the business going. Having done this for so long, I don't want to give up, but I know I'm not earning much, and I fear working as an employee. And learning a new job at my age'*.

O is a 28-year-old male from a Mixed ethnic background, working in the transport industry as a delivery driver. He has no dependants, nor does he have a disability. In the past 2 years, **O** has started a new job, where it was difficult to obtain the contract or key document (he eventually received it in the first two months of the job). His job is located in a big city in the North-West region of England.

Based on an average of 28 hours of work per week – working across 4 days – he estimated his daily income to be £8.5/hour. **O** also receives income support. As a gig economy worker, he has been using a website, platform, or app to deliver food and drink from restaurants and food outlets to make money. For this work, the rates/prices are determined by the platform, website, or app. When asked about the reasons for doing this work, he said that this is because there were no better jobs available where he lives. He also said that he would rather be an employee if he had the chance. Neither **O** nor his coworkers are members of a union or staff association.

Over the past two years, **O** has not encountered issues with unfair deductions, unpaid work, payslips, or leave-related issues. He receives payslips after each job via phone (as a text or using an app). However, he finds these difficult to access and understand, and pay and deductions are not always accurately itemised, which meant that he got the wrong pay at work.

O has not had a physical injury due to work in the past two years; however, his coworkers have, making them need to take a couple of days off work. When asked if his mental health has been negatively impacted by his work, **O** answered *'don't know'*. Despite this, over the past 2 years, he has been concerned for his mental health, particularly due to insufficient rest breaks and the high-intensity work. He has not been bullied or harassed at work.

Summary of the key findings

Agency workers

Among agency workers, we found limited evidence of third-party organisations or ‘umbrella companies’ being used to pay workers, with only around 8% of agency workers in the full workforce and less than 4% among precarious workers mentioning this. Based on our results, a bigger concern should be the lack of awareness regarding source of payment, with more workers indicating that they did not know where their payment came from than mentioning third-party organisations.

We found that over 90% of agency workers worked exclusively for UK-based agencies in the past two years. We also found that working exclusively for agencies based abroad was fairly rare. However, our findings suggest that a quarter of agency workers pay some fees for taking on jobs, with work-finding fees being the most common. Worryingly, almost everyone who mentioned paying such a work-finding fee indicated that they worked for a UK-based agency. We found a great degree of variation regarding ongoing and one-off charges applied to agency workers.

We also found that most agency workers were paid on a job-by-job basis with a significantly higher share paid this way among precarious workers (around 10 percentage points higher).

Self-employed, gig economy, and platform workers

Among self-employed and gig workers, around 40% of them reported that their work is enabled by a website, platform or app both in the full workforce and among precarious workers. We found considerable autonomy among self-employed/gig/platform workers, with 57-58% of them being able to set their own rates or fees and another 24-25% being able to negotiate rates, leaving only around 16-17% fully exposed to platform-driven pricing.

The most frequent motivation selected for being self-employed/gig/platform workers was the love for their job with more than half of them mentioning this, with building a business, and supplementing their income as other common reasons. Caring responsibilities also stood out, with precarious workers significantly more likely to mention this as a reason for taking on a similar job. Notably, one in ten workers picked a lack of better jobs as a reason for doing this type of work.

A little over half of self-employed/gig workers said they would not prefer to become an employee, although this rejection rate was significantly lower among precarious workers. The rate of undecideds and those who would be happy to trade their job for becoming an employee were very close to each other, which implies that workers would require more information before being able to make such a decision.

Chapter 8: Distribution of work-related issues and implications for targeted enforcement

Chapter summary

This chapter examines the distribution of work-related issues and their implications for targeted enforcement, drawing on two complementary measures. First, we consider four categories where there are clear indications of breaches of employment laws: National Minimum Wage (NMW) violations, payslip-related violations, contract-related violations, and agency fee-related violations. Second, we consider a broader eight categories of work-related problems from the Working Lives Survey: unfair deductions, unpaid extra hours of work, NMW violations, payslip-related violations, leave-related issues, physical injuries at the workplace, negative mental health due to work, and bullying and harassment at work. The widespread nature of breaches of employment rights was clearly illustrated by the survey results: **roughly 14% of the full workforce and 26% of precarious workers experienced at least one such clear legal violation in the preceding two years.** Since relatively few (potential) legal violations are so clear-cut, this figure is very likely to be a considerable underestimate and **should be treated as a floor (minimum) estimate.** More broadly, **poor treatment at work was pervasive: seven out of ten workers overall, and two thirds of precarious workers, were affected in the past two years by at least one of eight different categories of legal violations, potential legal violations and other work-based harms.** Even worse, around one in ten workers experienced four or more different categories of issues over this period. That said, the distribution of categories of work-related issues implies that they are relatively dispersed and evenly distributed, with relatively few workers experiencing multiple different categories of issues simultaneously. This is atypical when compared to the literature on crime and victimisation, where crime tends to concentrate in a relatively small number of areas and among a relatively small number of people, who are repeatedly victimised. In contrast, the distribution observed in our data presents a challenge for enforcement policies: given a lack of strong clustering, there may be too many issues and violations, which are quite dispersed, for state enforcement to robustly tackle. The correlation analysis in this chapter reveals that leave-related issues, negative mental health effects of work, physical injuries, and bullying and harassment at the workplace showed the strongest clustering with each other, while NMW violation appeared isolated from most other issues. In terms of 'canary in the coalmine' indicators that could help to point to likely concentrations of other harms and violations, we found that unpaid extra hours of work and bullying and harassment at the workplace are the strongest candidates. We find it striking that a work-based harm outside the labour market non-compliance remit seems to be one of the strongest indicators for the presence of other work-related harms or breaches. Moreover, unpaid extra hours of work are only within the current labour market non-compliance remit if they push average earnings below NMW. We then considered a series of potential indicators (demographic and work-related) that could be used to target enforcement. We find evidence that, were the Fair Work Agency to seek to target enforcement on the basis of a single factor, industry could be a reasonable choice in most cases, as imperfect as this strategy may be. In contrast the use of geographically-focused enforcement was only supported in the case of unfair deductions and NMW violations.

Overview of the legislative and enforcement context

The Working Lives Survey was *deliberately* designed to focus not only on labour market non-compliance as per the remit of the Office of the Director of Labour Market Enforcement (ODLME), but also a range of other work-based harms, some of which may breach other laws outside the immediate remit of the then ODLME and now Fair Work Agency (FWA) (see also Chapters 1 and 2).

In the empirical chapters thus far (Chapters 4-7), we have detailed the legislative context around each of the issues in focus. Table 8.1 provides here a recap and overview for the ten issues discussed in the current chapter, for each indicating the legal status of the practice and where responsibility for state enforcement sits in Government. Some rows cover practices that are broadly unlawful (rows 1-4 inclusive) and many more can be unlawful, potentially breaching various laws, regulations and/or individual contractual terms (rows 5-10 inclusive). Some of these (such as most instances of unpaid extra hours of work) represent a regulatory gap. Taken together, even when laws are not breached, the experiences in question are undesirable and can be detrimental to people’s economic, social, psychological and physical wellbeing, and overall experiences of work (i.e. ‘lawful but awful’).

This is a complex and fragmented legal area (Pósch et al., 2024) and establishing a breach definitively requires information about employment status, individual contractual rights, and other context that is simply not measurable within a general survey, especially as respondents themselves may not know. Whenever statutory rights do not apply to certain workers, however, we exclude them from the prevalence estimates to the greatest extent possible, even when that means our estimates are conservative as a result (e.g. NMW violations are analysed for employees only).

Table 8.1: Work-related issues, state enforcement and legal status of the practice

Work-related issue	State enforcement	Legal status of the practice
1. Not receiving contract or key information document ahead of starting the job (or, only, for workers in Northern Ireland not within the first two months of the job)	FWA, under certain circumstances only (i.e. for agency workers)	Unlawful. Breach of Employment Rights Act (ERA)1996 and Employment Rights (NI) Order 1996 or, for agency workers, the Conduct of Employment Agencies and Employment Businesses Regulations 2003 and Conduct of Employment Agencies and Employment Businesses Regulations (Northern Ireland) 2005
2. Agency workers being charged work finding fees	FWA	Unlawful. Breach of Employment Agencies Act 1973 and Employment (Miscellaneous Provisions) (Northern Ireland) Order 1981 ¹²¹ ..

¹²¹ Applies to UK-based employment agencies and employment businesses only.

Work-related issue	State enforcement	Legal status of the practice
3. Payment below the National Minimum Wage/National Living Wage	FWA	Unlawful. Breach of National Minimum Wage (NMW) Act 1998.
4. Not receiving a payslip	No state enforcement	Unlawful. Breach of ERA 1996 and ERO (NI) 1996.
5. Unfair deductions	FWA, under certain circumstances only (mainly NMW-related)	May be unlawful. May breach NMW legislation, legislation pertaining to agency workers ¹²² , and/or individual contractual terms.
6. Unpaid extra hours of work	FWA, under certain circumstances only (mainly NMW-related)	May be unlawful. May breach the Working Time Regulations 1998 and its 2016 equivalent in Northern Ireland (NI), the NMW Act 1998, and/or individual contractual terms.
7. Leave-related difficulties	Currently very limited little state enforcement ¹²³ (FWA will assume enforcement responsibilities for holiday pay and likely Statutory Sick Pay)	May be unlawful. May breach the ERA 1996 and ERO (NI) 1996, ERA 2025, Working Time Regulations 1998 and its NI equivalent, and/or individual contractual terms.
8. Physical injuries at the workplace (to self or co-worker(s))	Primarily HSE/HSE NI ¹²⁴ . Police if criminally negligent.	May be unlawful. May breach the Health and Safety at Work Act 1974 and the Health and Safety at Work (NI) Order 1978 ¹²⁵ .

¹²² For work-finding fees, the legislation is outlined in row 2. The Conduct of Employment Agencies and Employment Businesses Regulations 2003 and Conduct of Employment Agencies and Employment Businesses Regulations (Northern Ireland) 2005 cover withholding of pay and charging for additional services.

¹²³ Statutory Sick Pay is currently enforced by HMRC's Statutory Payment Dispute Team, as is maternity and paternity pay.

¹²⁴ Health and Safety Executive/Health and Safety Executive for Northern Ireland.

¹²⁵ It may also give rise to a violation of an employer's contractual obligations and duties in tort law.

Work-related issue	State enforcement	Legal status of the practice
9. Negative mental health due to work	Primarily HSE/HSE NI.	May be unlawful. May breach the Health and Safety at Work Act 1974 and the Health and Safety at Work (NI) Order 1978 ¹²⁶ .
10. Bullying and harassment at work	Primarily EHRC ¹²⁷ /Equality Commission for NI. Police in some cases.	May be unlawful. May breach Equality Act 2010, or equivalent NI legislation. May breach criminal laws (e.g. around physical, sexual, verbal abuse or harassment) ¹²⁸ .

Distribution of clear legal violations

Due to this complex legal landscape, it was often impossible to determine whether a work-related issue amounted to a legal violation or not, only that it was suggestive of a **potential** legal violation. Nevertheless, our survey captured four issues that were clearly indicative of a legal violation, all pertaining to employment law (rows 1-4 inclusive of Table 8.1):

1. NMW underpayment (analysed here among employees only¹²⁹),
2. not receiving a payslip on time or at all despite being eligible to do so (despite being eligible),
3. not receiving a contract or key information document ahead of starting a new position or within the legally required time window (measured among those who started a new position in the last two years), and
4. being charged work-finding fees (asked of agency workers only)

Using these four measures, our data indicate that **14.29% of the full workforce and 25.61% of precarious workers experienced at least one such clear legal violation in the past two years** (see Table 8.2). The typical (median) worker did not experience any of these clear legal violations, whilst the average (mean) number of violations experienced was also close to 0 (full workforce: M=0.155;

¹²⁶ It may also give rise to a violation of an employer's contractual obligations and duties in tort law.

¹²⁷ Equality and Human Rights Commission

¹²⁸ It may also give rise to a violation of an employer's contractual obligations and duties in tort law. The relevant NI equalities legislation is the Employment Equality (Age) Regulations (NI) 2006; Disability Discrimination Act 1995; Sex Discrimination (NI) Order 1976; Race Relations (NI) Order 1997; Fair Employment & Treatment (NI) Order 1998; Employment Equality (Sexual Orientation) Regulations (NI) 2003; and the Equality Act (Sexual Orientation) Regulations (NI) 2006. S.75 Northern Ireland Act 1998).

¹²⁹ NMW entitlements also apply to 'limb (b) workers' but it was not possible to identify them in the survey and so our estimate here focuses on prevalence among employees only, where we can be most confident of breaches.

precarious workers: $M=0.286$). Of the workers who experienced any such violations, the vast majority reported only one category.

Table 8.2: Distribution of clear legal violations (weighted proportions)

Number of work-related issues	Full workforce	Precarious workers
0	85.71%	74.39%
1	13.14%	22.57%
2	1.09%	3.02%
3	0.06%	0.01%

The proportion of workers affected by any of these violations is a considerable underestimate, only the ‘tip of the iceberg’. We have two main reasons for this assertion. First, this estimate only considers four practices and there were many others in focus that might or might not be unlawful depending on a complex combination of legal and contextual factors. However, for those other issues, the questionnaire could not be constructed in a way to provide sufficiently strong suggestion that the harmful practices reported by workers were necessarily breaches of the law. Moreover, in many cases it may depend on individual contractual terms, for which a general survey cannot be personalised. Second, two out of the four measures included in this analysis have sampling limitations. Questions on contract and key information document-related violations were only asked of people who started a new job in the last two years (roughly 24.24% in the full workforce and 29.73% among precarious workers). Agency worker-related violations also only applied to a small subset of the whole dataset (up to 4.09% of the full workforce, and 12.58% of precarious workers) (see Chapter 7). These limitations also mean that we excluded these two variables from all the analysis carried out in the rest of the chapter. Both points suggest that these numbers should be considered a floor or lower bound estimate.

Distribution of main work-related issues in focus, including legal violations, potential legal violations and other harms

Beyond these clear legal violations, our survey also captured work-related harms which may or may not be legal violations but are nevertheless undesirable. The underpinning laws to consider here are not limited to employment law, also including (for example) equalities and health and safety legislation (see this chapter’s earlier section on the legislative context). Across previous chapters, we focused on a range of these work-related problems, grouped by common themes, namely: financial harms (Chapter 4), administrative violations (Chapter 5), and health and safety and mistreatment at work (Chapter 6). We also conducted a deep-dive on non-traditional workers (Chapter 7).

The topics featured in the ‘Working Lives Survey’ allowed us to examine the co-occurrence and associations between eight particular work-related issues, listed below. The remainder of this chapter examines the distribution of this broader set of issues.

1. Unfair deductions
2. Unpaid extra hours of work
3. National Minimum Wage Violations
4. Payslip-related violation(s)
5. Leave-related issue(s)
6. Physical injuries at the workplace (to self or a co-worker/s)
7. Negative mental health due to work
8. Bullying and harassment at work

Together, this list spans a range of different forms of labour market non-compliance (as per the remit of the former ODLME) and other potentially non-compliant or harmful practices at work¹³⁰.

Table 8.3: Percentage of work-related issues (weighted proportions)

Number of work-related issues	Full workforce	Precarious workers
0	29.90%	33.98%
1	27.50%	29.62%
2	20.99%	18.17%
3	11.45%	8.41%
4	6.25%	5.46%
5	2.41%	3.11%
6	1.32%	1.23%
7	0.16%	0.03%
8	0.03%	0.00%

¹³⁰ Moreover, context matters: what is a breach in one context may not be a breach in others, and enforcement responsibility can also vary. Thus, some of the categories below fall squarely into the then ODLME’s remit (e.g. NMW violations), some will only sometimes fall within remit (e.g. key information document-related violations would, but other contract-related violations would not; unpaid extra hours would only if it pushed average earnings below NMW), some will not but can breach other laws (e.g. bullying and harassment), and some may not breach any laws at all (e.g. a physical injury or negative mental health impact may or may not involve legal violations, depending on the context). In some cases, the remit changes from the ODLME to the FWA, for example violations related to sick pay and annual leave were not in the ODLME’s enforcement remit but will be in scope for the FWA.

Using the remaining eight categories, we calculated the overall distribution of the number of categories of issues and violations workers experienced within the last two years for all workers regardless of their employment status. The above analysis allows us to better understand whether, how and to what extent different work-related issues cluster within individuals. In other words, with this analysis we wanted to understand whether workers tend to experience just one type of issue, or a combination of different types of issues within our time frame (i.e. the last two years). We also wanted to determine which are the types of issues that tend to co-occur and which are the ones that are more likely to be isolated.

Based on the survey answers (Table 8.3), it is clear that far more workers are affected by poor treatment at work than not: an estimated seven out of ten workers overall (70.1%) and two thirds of precarious workers (66.0%) were affected in the past two years by *at least one* of the different categories of work-related issues, harms, and violations in focus here. Put differently, less than a third of workers overall did not experience *any* of these problems in the last two years.

Yet, while it was common to experience some sort of issue, it was comparatively rare to experience more than one or two types of issues within the two-year time frame we asked about. In the full workforce, a little over a quarter (27.5%) of workers experienced one type of issue, a little over one in five (20.99%) two types of issues, and a little over one in ten (11.45%) three types. A very similar pattern emerged for precarious workers, with around three-out-of-ten (29.62%) reporting one type of issue, a little under one in five (18.17%) two types, and under one in ten (8.41%) three types. By contrast, around one in ten people in the full workforce (10.17%) and precarious workers (9.83%) experienced four or more categories of issues within the two-year time frame (patterns in life-time prevalence might of course significantly differ).

Table 8.4: Mean, median, and standard error associated with the number of work-related issues (weighted estimates)

Number of work-related issues	Full workforce	Precarious workers
Median	1	1
Mean	1.50	1.36
Standard error	0.03	0.05

The centrality measures calculated for the number of categories of work-related issues presented in Table 8.4 appear to reinforce the same message: the median (most common) number of different issues in the full workforce and among precarious workers was 1, and the mean (average) number of different issues was between 1.36-1.5. Notably, the difference between the full workforce and precarious workers was not statistically significant. In other words, overall, the number of different issues reported by the full workforce and precarious workers did not significantly differ from each other. However, this does not mean that the types of issues and violations experienced by the full workforce and precarious workers did not differ. For instance, precarious workers were significantly more likely than the full workforce to report NMW violations or not getting a payslip. By contrast, experiences of negative mental health effects due to work and bullying and harassment were more prevalent in the full workforce compared to precarious workers (see Chapters 4-6).

All this indicates that the experience of work-related issues, harms, and violations are relatively dispersed and evenly distributed (at least in terms of binary yes/no experiences of the different categories covered). A large majority of workers experienced 0-3 different issues in the past two years, with a sharp and rapid decline once the number of categories gets higher (i.e. the distribution indicates a quasi-exponential decrease). By contrast, the literature on crime and criminal conduct would generally suggest much stronger concentrations of harms (cf. Weisburd, 2015). If experiences of labour market exploitation followed a similar pattern to many criminological examples, we could expect around 20% of workers to experience roughly 80% of all labour market exploitation (following the Pareto principle¹³¹, see for instance: Martinez et al. 2017, Caspi et al. 2016). Under such conditions, enforcement and protection efforts can be targeted by identifying the most harmed or at-risk individuals.

Figure 8.1 and Figure 8.2 depict the pattern found in our data and compare the observed distribution to two common statistical distribution types, Poisson and geometric, which are typical examples of exponential decrease. As shown in these figures, these patterns appear to follow closely the observed work-related issues, harms, and violations which implies a close relationship between these ideal distributions and the observed data.

From a practical perspective, all of the above suggests that labour market non-compliance and work-based harms might require a different approach to enforcement, since a large number of individuals are experiencing some level of negative outcomes, harms, or violations (again as a point of contrast, current evidence from the Crime Survey of England and Wales indicates that significantly less than 20% of people are victims of any crime within a 12 month period). It follows, that traditional intelligence and enforcement strategies are unlikely to be effective as these high-harm cases are likely to be (1) difficult to identify as there are too few of them and (2) challenging to continuously monitor due to the lack of strong clustering.

¹³¹ Pareto principle originates in the economics literature where it typically refers to wealth distribution in a society (i.e. 80% of the wealth owned by 20% of the people). Other examples of the same distribution include Zipf law, which describes the population size of cities within a country, or the Matthew principle in social network analysis where a small number of nodes with a larger number of connections are more likely to gain even more connections in the future.

Figure 8.1: Observed distribution of work-related issues compared to Poisson and geometric/exponential distributions in the full workforce

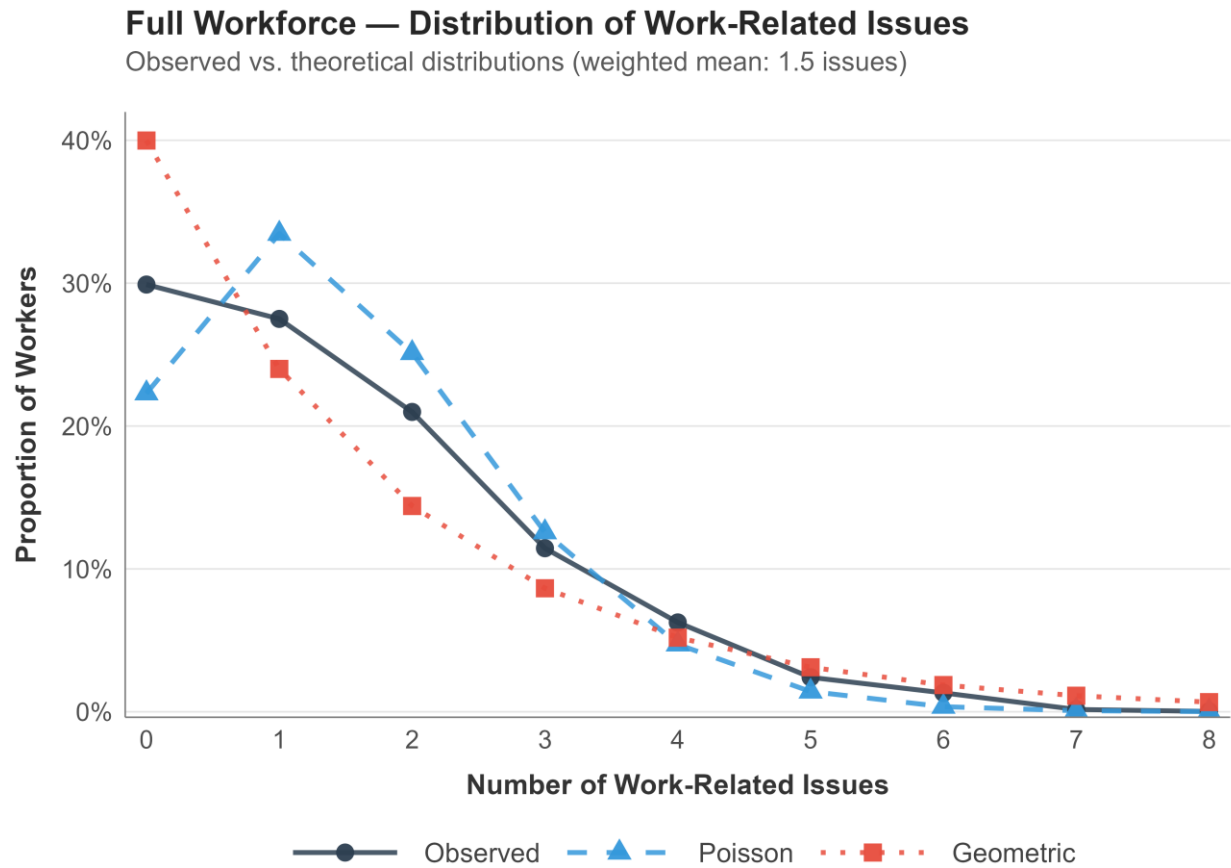
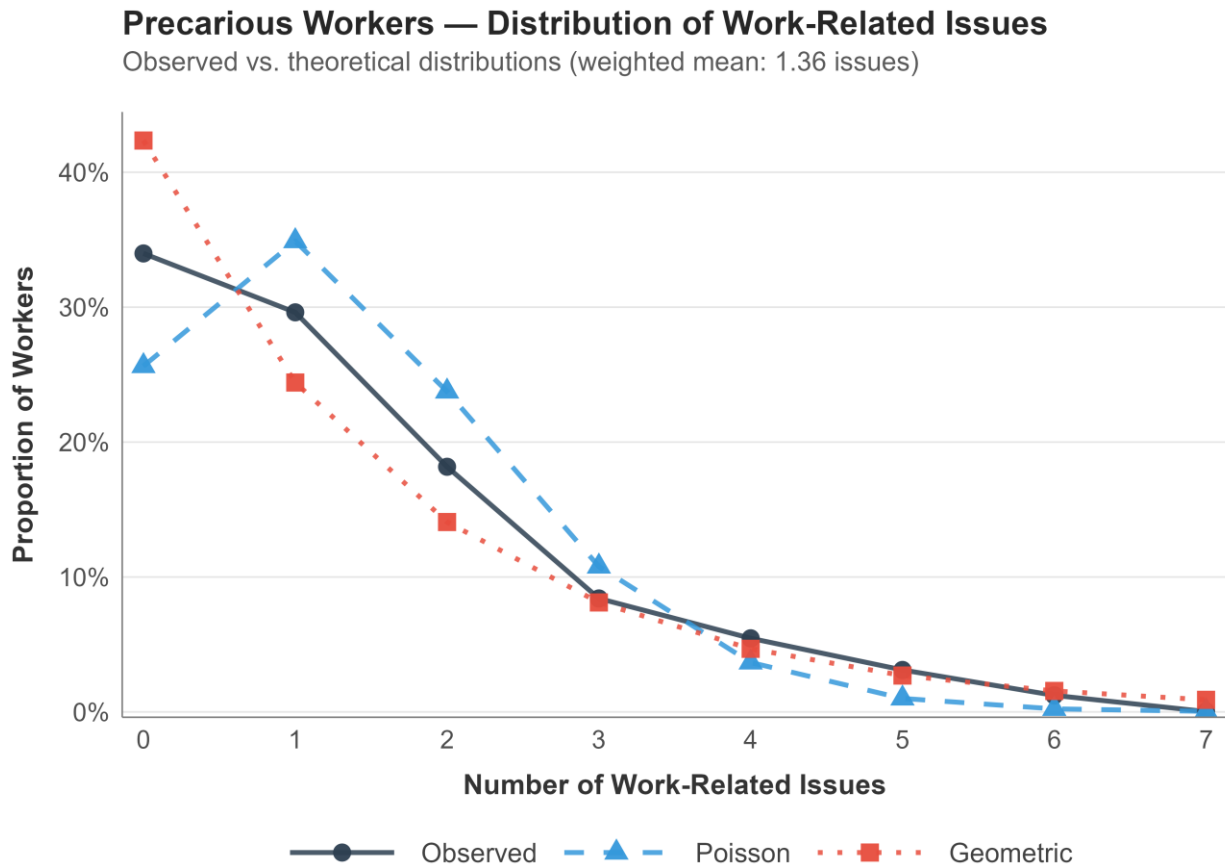


Figure 8.2: Observed distribution of work-related issues compared to Poisson and geometric/exponential distributions among precarious workers



Simultaneously, our results also suggest that *a strikingly high share of workers report work-related issues and violations*, due to the sheer proportions of people experiencing at least one category of issues, harms, and violations over *within a relatively short two-year time-period*. These results also call into question the received wisdom that most businesses are compliant and only a few ‘rogue’ operators (the ‘bad apples’) pose the problem. *When 66-70% of workers report at least one work-related issue or violation this suggests that these are ubiquitous in the UK workforce.*

This particular distribution of categories invites another, opposite challenge to enforcement: there are likely simply too many issues and violations for state enforcement to robustly tackle (notwithstanding the core issue that many of these fall within the remit of multiple agencies and that often it is hard to determine whether they constitute actual legal violations). To revisit the example of crimes, based on police-recorded crimes, the UK had 223 crimes per 1000 population in the years September 2023 to September 2025. This increases to 313 crimes for the same period when considering the results of the Crime Survey for England and Wales. By contrast, our work-related issue rate in the full workforce would be 1502 issues per 1000 workers and 1362 per precarious workers estimates which are 4.8-6.7 and 4.4-6.1 larger, respectively. However, and to provide a counterpoint, focusing only on the select group of clear legal violations discussed at the start of this chapter would only amount to smaller but still substantial figure: 152 violations per 1,000 workers (full workforce) and 263 per 1000 workers, which are much more aligned with the crime figures.

There are limitations to this direct comparison of crimes and measures of clear legal violations, and of (potential) legal violations and harms relating to the labour market (e.g. crimes have a clearly defined threshold, the populations compared are not equivalent, etc.). However, even if the issue rates calculated here for the (potential) violations and harms were *half as large*, that would still suggest a much greater prevalence of issues in the labour market and therefore, a clear operational challenge for the FWA and other regulators in how to address such high demand.

Finally, it is worth reiterating that the number of different issues on its own does not necessarily speak to the strength, severity, or gravity of them. A person could be affected by a high number of different types of issues but they might be relatively minor, another could experience only a single but extreme violation. Similarly, some might experience a one-off violation of their rights in any given category, others multiple violations over a period. Instead, by focussing on the number of categories we wanted to assess both the diversity and accumulation of work-related issue and violation categories.

Association between work-related issues

There is another potential explanation for the particular distribution of the number of different issues reported by workers: the limited clustering of the types of issues studied in this research. To assess this, we estimated the association between the different issues, harms, and violations. In particular, we calculated the correlation coefficients for the eight categories of interest, both in the full workforce and among precarious workers. Correlation analysis is a technique designed to measure the strength and direction of overlap between a given pair of variables.

Table 8.5 and Table 8.6 summarise the results for the associations between the various issues. Light pink (+) and light purple (-) indicate statistically significant but weak associations, in positive and negative direction respectively, medium pink (++) moderate associations, and dark pink (+++) strong associations¹³². As before, due to the high number of comparisons, the statistical significance was set to the 1% ($p < 0.01$) threshold. Empty squares in the tables show where there were no statistically significant associations.

Although the correlation results are not identical for the full workforce (Table 8.5) and for precarious workers (Table 8.6), they show a fairly similar pattern. Notably, the bottom right corner of both tables has the strongest associations. Namely, issues concerning leave, negative mental health effects of work, physical injuries, and bullying and harassment at the workplace seem to be more likely to go together or, in other words, cluster. The other notable finding is that NMW violation has weak to no association with all the other issues. To put it differently, breaches of workers' rights to NMW¹³³ seem to be isolated from the other work-related issues.

¹³² These refer to the absolute values of 0.01-0.20, 0.21-0.40, and 0.41+ for the tetrachoric.

¹³³ Nb. since the right to NMW applies only to employees and limb b workers, if someone was anything but an employee where potential underpayment occurred, then they were recorded as having no experience of NMW violation, even if actual pay was below NMW rates. As indicated earlier, limiting the analysis to employees only did not meaningfully change the correlation results presented here.

Table 8.5: Association between the different work-related issues in the full workforce – Correlation results (weighted estimates)

	Unfair deductions	Unpaid extra hours of work	National Minimum Wage Violations	Payslip-related violation(s)	Leave-related issues	Physical injuries at the workplace	Negative mental health effects due to work
Unpaid extra hours of work	++	-					
National Minimum Wage Violation		+	-				
Payslip-related violation(s)	+	+		-			
Leave-related issues	++	++		+	-		
Physical injuries at the workplace	++	++			++	-	
Negative mental health due to work	+	++		-	+++	++	-
Bullying and harassment at work	++	++			+++	++	+++

Table 8.6: Association between the different work-related issues among precarious workers – Correlation results (weighted estimates)

	Unfair deductions	Unpaid extra hours of work	National Minimum Wage Violations	Payslip-related violation(s)	Leave-related issues	Physical injuries at the workplace	Negative mental health effects due to work
Unpaid extra hours of work	++	-					
National Minimum Wage Violation		++	-				
Payslip-related violation(s)	++			-			
Leave-related issues	++	+++			-		
Physical injuries at the workplace		++			++	-	
Negative mental health due to work		++		-	+++	+++	-
Bullying and harassment at work	++	++	++		++	+++	+++

One goal of this part of the analysis was to find issues that are likely to signal that other problems might also be prevalent at the workplace. These issues could be understood as ‘canaries in a coalmine’, as finding them would make it more likely that other problems are also present. With the caveat that the issue concentration is relatively low, in our view the strongest candidates for such ‘canary’ issues are¹³⁴:

1. Unpaid extra hours of work, which had a significant correlation with all other issues except NMW violation in the full workforce, and all issues except NMW violation and payslip-related violation among precarious workers.
2. Bullying and harassment at the workplace, which had a significant correlation with all issues but NMW and payslip-related violations in the full workforce, and payslip-related violations among precarious workers.

Notably, unpaid extra hours of work can be understood as a form of labour market non-compliance in certain contexts, but this form of wage theft is not currently enforceable unless it pushes average earnings below NMW rates and, even then, this only applies to employees and limb b workers (cf. the legislative landscape in Pósch et al. 2024). Bullying and harassment, meanwhile, is not a form of labour market non-compliance, at least as defined by the remit of the Office of the Director of Labour Market Enforcement and, from 2026, the Fair Work Agency. In this sense, it is striking that a work-based harm *outside* the formal remit of these organisations actually seems to be one of the strongest candidates for identifying the other work-related categories in general (including unfair deductions, NMW violation, leave-related issues etc).

Although unpaid extra hours of work and bullying and harassment at the workplace can be potentially indicative of the presence of other work-related issues and violations (including but not limited to categories of potential labour market non-compliance), it would also make sense for decision-makers seeking to design future labour market enforcement strategies to consider particular priority issues for enforcement and tailor detection approaches accordingly. With the exception of NMW violations (due to its isolated/non-clustered nature), this seems to be achievable for most all other categories. Crucially, however, this would require continuous data collection and monitoring of the labour market and worker experiences, which should be one of the core aims and functions of the Fair Work Agency.

Multivariate modelling for the overall number of work-related issues

Finally, we also took a multivariate approach to identify the partial associations between a set of explanatory variables and the overall number of work-related issue categories. Here we used the same explanatory variables as in all previous analyses.

The results are summarised in Table 8.7. As before, purple coloured cells with the ‘-’ sign denote negative associations and pink cells and ‘+’ signs positive associations and the stronger the shading and the higher the number of signs the stronger the association. For brevity’s sake, only those variables with a significant association in the multivariate models are included in this table (the full results can be found in Appendix X). Blank squares mean non-significant associations.

It is worth noting that there was considerable agreement between the results for the two populations (i.e. for the full workforce and for precarious workers) (Table 8.7). All else being equal, having a

¹³⁴ Although negative mental health effects due to work could be a third such variable, for that it is difficult to distinguish between cause and effect and thus, might not be appropriate for such a purpose.

disability (i.e. longstanding physical or mental impairment, illness or disability) and working at a workplace with trade union and/or staff association presence (i.e. where at least one colleague is a member of a trade union and/or staff association) also significantly (albeit not as strongly) significantly increased the count of categories of work-related issues. In addition, for the full workforce, we also found a statistically significant but weak positive partial association between age and the number of issues and, simultaneously, a stronger negative curvilinear association as well. This means that in the full workforce, people in middle age tended to experience a greater number of different issues and violations than the youngest and oldest workers (who tended to experience fewer issues, all else being equal). There were no other significant partial associations between any of the other variables and the overall number of work-related issues, harms, and violations experienced.

Table 8.7: Multivariate modelling (Poisson regression) for the number of work-related issues in the full workforce and among precarious workers

Variable	Full workforce	Precarious workers
Age	+	
Age-squared	--	
Disability	+++	+++
Trade union and/or staff association presence	++	++

Targeting work-related issues – Region and industry focus and alternative approaches

A vital question for decision-makers is what do these results mean for attempts to make labour market enforcement more evidence-based and, ultimately, more effective? Despite all the analyses presented in this chapter (and the previous ones), it remains an open question how these results could best inform future labour market enforcement strategy and activity. This lack of clarity is attributable to at least two problems: (1) notable difference in our findings depending on the work-related issue and (2) enforcement feasibility.

As demonstrated by the previous chapters (Chapters 4-6), there does not seem to be a ‘one-size-fits all’ strategy that labour market enforcement could pursue. This is due both to the general dispersion of problems and to the great diversity in the findings across the various issues and violations. Some variables that are pertinent to one issue or violation might not be for another, or can have an association in the opposite direction. As an example, all else being equal workers with a disability appear to experience more harassment or bullying, report more negative mental health effects due to work, etc., whilst also being mostly absent/less relevant for financial harms. This means that, to begin with, it is neither possible nor, arguably, desirable to identify a set of unifying risk factors that are applicable across all issues.

The second limitation is related to the (in)feasibility of finely targeting workers with certain characteristics. Given the extreme complexity of identifying certain people (e.g. middle-aged females in agriculture) tailoring interventions to particular (sub)populations of workers is unlikely to be practicable. By contrast, it would be much more feasible relying on one or two characteristics solely as the basis of future enforcement activity instead of trying to micro-target (groups of) individuals.

In this spirit, we first assessed existing approaches used by various enforcement bodies which tend to focus on region and industry. Then, based on the information we received from the former ODLME, we also reviewed whether (any) personal protected characteristics could be used as the basis for targeted enforcement. We used a series of binary logistic regression models with one explanatory variable (the candidates for targeted enforcement, such as age, gender, ethnicity, etc.) and one outcome variable (a particular category of work-related issue) in each. The same 1% ($p < 0.01$) evidence threshold was set as throughout the report. The results are summarised in Table 8.8 and Table 8.9, with pink boxes suggesting statistically significant positive (sig. pos.) and purple boxes statistically significant negative (sig. neg.) associations. Orange boxes indicate statistically significant difference (sig. diff.) within the variable and blank boxes show no association.

Table 8.8: Targeted enforcement of particular issues – Full workforce (colour and text indicate statistically significant findings)

	Unfair deduction s	Unpai d extra hours of work	NMW violation s	Payslip - related violatio n	Leave - relate d issues	Physical injuries at the workplac e	Negativ e mental health due to work	Bullying and harassme nt
Region	sig. diff.		sig. diff.					
Industry	sig. diff.	sig. diff.	sig. diff.	sig. diff.	sig. diff.	sig. diff.	sig. diff.	sig. diff.
Sex (female)			sig. pos.				sig. pos.	
Gender			sig. diff.			sig. diff.	sig. diff.	sig. diff.
Age		sig. diff.		sig. diff.				sig. diff.
Ethnicity	sig. diff.		sig. diff.				sig. diff.	
Disability		sig. neg.			sig. pos.	sig. pos.	sig. pos.	sig. pos.
UK-born (vs not)								sig. neg.
Marital status (married)		sig. neg.			sig. neg.			
Dependant s (number of)	sig. pos.			sig. pos.				
Trade union and/or staff association membershi p		sig. pos.	sig. neg.	sig. neg.	sig. pos.	sig. pos.	sig. pos.	sig. pos.

Table 8.9: Targeted enforcement of particular issues – Precarious workers (colour and text indicate statistically significant findings)

	Unfair deductions	Unpaid extra hours of work	NMW violation	Payslip-related violation	Leave-related issue	Physical injuries at the workplace	Negative mental health due to work	Bullying and harassment
Region			sig. diff.					
Industry		sig. diff.	sig. diff.		sig. diff.	sig. diff.	sig. diff.	sig. diff.
Sex								
Gender								
Age		sig. diff.					sig. diff.	
Ethnicity								
Disability		sig. neg.	sig. pos.		sig. pos.		sig. pos.	sig. pos.
UK-born (vs not)			sig. neg.					
Marital status (married)								
Dependants (number of)					sig. pos.		sig. pos.	
Trade union and/or staff association membership		sig. pos.		sig. neg.	sig. pos.	sig. pos.		

Starting with the existing approaches to enforcement, in the full workforce, we found significant differences by industry across all work-related issues, and a similar pattern emerged for precarious workers, with unfair deductions and payslip-related violations being the only two issues where workers' experiences did not vary by industry. Conversely, we only identified regional differences for unfair deductions and NMW violation in the full workforce, and only for NMW violations for precarious workers (Table 8.8 and Table 8.9). In other words, if we are looking for a characteristic of workers or

their work that might serve as a key indicator for the potential presence of issues or violations, industry is likely to be a good candidate, while region seems to have more limited reach and only likely to be useful in the case of unfair deductions and NMW violations.

Nevertheless, if one juxtaposes these results to the multivariate models in Chapters 4-6, the regional results all but disappear which suggest that these associations are likely to be spurious. For industry-level differences, these remained robust (i.e. after controlling for all else) in the case of the scale of NMW violations, the scale of unfair deductions (among precarious workers), physical injuries at the workplace, and payslip-related violations. In other cases, however, the significant associations disappear which suggests that it is not the inherent features of the industries but the characteristics of the types of jobs in these industries and the personal characteristics of the individuals who end up in such industries that seem to matter most. Certain industries are more likely to have certain job types (e.g. temporary work, worker with particular visa(s), etc.) and also are more likely to hire people with certain characteristics and/or particular people self-select or, in rarer cases, are compelled into certain industries. In this way, those in these industries can be more or less prone to experiencing different categories of violations, without the industry itself being the salient factor.

Among the protected characteristics we looked at, individual membership of trade unions and/or staff associations had the most common association with work-related issues (Table 8.8 and Table 8.9). In fact, in the full workforce, it was significantly associated with all of the categories except for unfair deductions. Among precarious workers, other issues also dropped out, and lacked a significant association with individual membership of trade unions and/or staff associations: not just unfair deductions but also NMW violations, negative mental health effects of work, and bullying and harassment. As before, the picture around individual membership of trade unions and staff associations is complex and we did not include membership as an explanatory variable in our models fitted to work-related issues, harms, and violations. What we found is that working at a workplace with a trade union or staff association presence, seems to increase the probability of unpaid extra hours of work, physical injuries and their severity at the workplace (in the full workforce), the severity of negative mental health effects due to work (in the full workforce), and the odds of bullying and harassment at the workplace. Yet, trade union and staff association presence also reduces the probability of payslip-related issues and not receiving a contract or key information document on time or at all. It remains challenging to disentangle the extent to which the presence of organised labour is a reaction to existing problems (e.g. riskier workplaces more likely to unionise) and whether increased awareness in workplaces with trade unions and staff associations may contribute to higher rates of reporting certain issues.

The only other variable with a relatively consistent pattern was having a disability. Having a disability made it more likely (in both the full workforce and among precarious workers) that someone would experience a leave-related issue, negative mental health effects due to work, and bullying and harassment at the workplace. In the full workforce, workers with a disability were more likely to experience physical injuries (to selves or co-workers). Among precarious workers, those with disabilities were less likely to do unpaid extra hours of work, but were more likely to be affected by NMW violation (Table 8.8 and Table 8.9).

The results for the other variables were inconsistent (Table 8.8 and Table 8.9). For instance, being married appeared to be a protective factor in the full workforce for unpaid extra hours and leave-related issues, but it did not seem to make a difference on these or any other issues among precarious workers. Similarly, whilst we found some significant differences for sex and gender in the full workforce, these did not persist among precarious workers. Having dependants was associated with increased odds of unfair deductions and not receiving a payslip in the full workforce, whilst among

precarious workers having dependants was positively associated leave-related issues and negative mental health consequences due to work.

Overall then, these results indicate that if the new Fair Work Agency were seeking to target enforcement on the basis of a single factor, then in most cases industry could be a reasonable choice, as imperfect as this strategy may be. However, it is important to be mindful that certain industries can rapidly be stereotyped as ‘risk-prone’, sometimes on a relatively shaky empirical basis, also involving risks of racial, gendered or class-based profiling. In addition, narrowly focusing on a few industries runs the risk of ignoring large swathes of the labour market when, in fact, our data suggests that most of the issues are widespread. Thus, the actual choice of industries to target would need to be very clearly thought through, well-justified, transparent, and the decision continuously monitored. There are also dangers that enforcement interventions – especially targeted ones – can become self-fulfilling prophecies in that issues are found where they are looked for, and not found where neglected. That in itself speaks to the importance of combining official statistics with sample surveys as these can help differentiate between enforcement-induced statistical artifacts and real changes on the ground (i.e. between ‘signal’ and ‘noise’).

Moreover, and in addition to the above, if the Fair Work Agency were particularly interested in protecting and enforcing the rights of certain groups of workers based on protected characteristics, then disability and caring responsibilities could be viable choices – but only for a more limited set of issue categories.

Finally, we also reiterate that this analysis does not distinguish by severity, which can vary both between and within the categories in focus (e.g. by scale of financial loss, or severity of injury), nor does it account for repeat incidents within a given category. Choosing to focus on higher harm violations (as opposed to higher prevalence) means making decisions about what is harmful, to whom, and from whose perspective, which are masked in this analysis and can in any case be context-dependent and subjective (see also Chapters 9 and 10).

Summary of the key findings

Distribution of work-related violations and other issues in the labour market

In this chapter, we used two complementary measures: a narrow set of four clear legal violations (all clear breaches of employment law) and a broader set of eight categories that capture work-related issues which cover legal violations, potential legal violations, and other harms (spanning both employment law and other areas of the law). Starting with the clear legal violations: we found that little over 14% of the full workforce and a little over a quarter of precarious workers experienced at least one such violation, with the typical (median) being no violations (i.e. 0). Even though this is highly likely to be a considerable underestimate of actual breaches of employment law, nevertheless this estimate can provide a floor estimate (i.e. the lowest that is possible), based on those issues for which we have the strongest and most credible evidence of breaches of the law.

Having reviewed the distribution of the number of categories of work-related issues (with a particular focus on eight in particular), we found that overall around two thirds of precarious workers and seven in ten workers in the wider workforce experienced at least one work-related issue, harm, or violation in the last two years. Nevertheless, most workers experienced only a limited number of categories, with the typical (median) value being 1 category per worker both in the full workforce and among precarious workers. However, in both populations of workers, around 10% experienced four or more

different issues simultaneously. All these results speak to violations of workers' rights and other work-based harms being widespread, suggesting that these are not the exception but the rule of working lives in the UK in the mid-2020s.

Furthermore, we established that the issues and violations reported were relatively dispersed without a high degree of concentration. Many workers experience one or a few different issues, which is atypical when compared to the literature on crime and victimisation, where many people directly experience no crime whatsoever in a given year and a relatively small number are exposed to repeat victimisation. This means that the experience of issues and violations at work is less concentrated than is the experience of crime victimisation. This might mean that different enforcement strategies are required due to (1) the high prevalence of issues and (2) the limited number of well-concentrated cases and thus, there appears to be less scope for robust harm-reduction by targeting the workers with most problems. Again, we would reiterate however that our focus was on count of categories (prevalence) – not incidence of repeat breaches within a category, nor severity, nor impact of the issues on workers.

Association between work-related issues and violations

Having considered the association between the categories of issues, leave-related issues, negative mental health effects due to work, physical injuries, and work-related bullying/harassment showed the strongest clustering with each other. Crucially, many of these areas do not belong to the remit of the then ODLME and now FWA. Yet, these are clear indicators of at least unpleasant (i.e. 'lawful but awful'), at worst illegal practices which are clearly undesirable if the goal is making work better all round. By contrast, NMW violations appeared to be isolated from most other issues, which was a surprising finding in itself.

In terms of 'canary in the coalmine' indicators that could help to point to likely concentrations of other problems, we found that unpaid extra hours of work and bullying and harassment at the workplace are the strongest candidates in terms of finding workers at risk of further potential breaches of their rights (some but not all of which fall under the definition of labour market non-compliance as per the former ODLME's remit). Although, negative mental health effects due to work also showed a strong association with the other variables, this could be a consequence rather than the source of the other work-related issues.

Multivariate modelling for overall number of work-related issues and violations

We carried out multivariate analysis to identify variables that could explain the variation in the number of issue categories a worker experienced. In the full workforce and among precarious workers, having a disability and trade union or staff association presence had a significant positive association with the number of categories of work-related issues and violations reported by an individual. In the full workforce exclusively, age also seemed to have played a role: the older someone got, the more likely it was that they reported a higher number of issues. However, the youngest and oldest respondents were exempt of this trend reporting lower number of issues all else considered.

Targeting work-related issues and violations

What conclusions can be drawn when it comes to targeted enforcement? As imperfect as they may be, we found some support for industry-level targeting, in general, and regional targeting in the case of unfair deductions and NMW violations. However, when the multivariate analyses set out in the other empirical chapters are also considered, the findings for industry appear to be more robust. Alongside this, it would stand to reason to pay particularly close attention workers with disabilities and members of trade unions and/or staff associations. For the latter, in particular, we do not posit that membership and/or presence of trade unions and/or staff associations itself generates the issues it is associated with. Quite the contrary, trade union membership in particular might well be stronger in workplaces that are riskier or those that have persistent problems.

Chapter 9: Experiences of precarious work, labour market non-compliance, and other work-based harms

Chapter summary

In this chapter, we begin to introduce the results from the **qualitative** part of the study, designed to delve into the nature of labour market non-compliance in the UK, and how workers themselves experience it. Our analysis is based on the data from original, in-depth interviews with 24 people in precarious work, and concentrates on the factors that appeared to mediate their experiences of precarious work, labour market non-compliance, and other work-based harms. We identified six main themes that could serve – depending on an individual's situation at a particular point in time – to exacerbate or alleviate negative impacts, namely: 1) household and family socio-economic position; 2) maternity and motherhood; 3) workplace resourcing, intensity and stress; 4) agency and autonomy; 5) community and isolation; and 6) awareness and confidence to challenge issues. Our findings emphasise the value of recognising the importance of context, the subjective dimensions of lived experiences, and variations in perceptions, attitudes and experiences.

Introduction

There is an emerging literature exploring the factors mediating how precarious work, labour market non-compliance, and other work-based harms are experienced. By 'mediate', we mean that potential issues and negative impacts can often be either exacerbated or alleviated, depending on individual workers' particular circumstances, expectations and characteristics. Even the same work experience can mean different things to different workers, so one must distinguish here between the objective 'problem' versus the subjective, lived experiences of it.

For example, migrants often approach and experience precarious work differently to non-migrants and so can be, to a degree, insulated from some of the negatives of this work. This observed pattern is associated with what is known as migrants' 'dual frame of reference' (they can evaluate precarious work across two or more countries) and with their 'liminal outlook' (they tend to see precarious work as a step towards better things), both of which can make precarious work more bearable for migrants than non-migrants (Scott & Rye, 2025).

Similarly, young people often appear to view precarious work as liminal, a temporary 'stepping-stone' in their career, rather than as a permanent 'dead-end' (e.g., Campbell & Price, 2016; CSJ, 2024; Vosko, 2025). Although some workers become increasingly entrenched in precarious work, for others it can be concentrated at certain life-stages (Pósch et al., 2024). For example, early career can be a time during which young people in education and/or without significant financial or caring commitments and responsibilities, can be insulated from some of the precarity experienced. In addition, some older people also approach precarious work relatively positively, especially when it is simply a top-up to a pension, or when mortgage and childcare commitments have passed (Lain et al., 2019). In short, circumstances matter.

Overall, the prior literature indicates a need to distinguish between objective 'problems' such as low pay, job insecurity, and breaches of workers' rights, and the individual and subjective lived experiences of such phenomena. This distinction is something this chapter's analysis seeks to illustrate and enable. In doing so, we also demonstrate the importance of thinking beyond what is

measurable quantitatively (questions of ‘scale’) to add nuance and texture by exploring workers’ experiences in their real-life messiness (questions of ‘nature’).

We therefore focus in this chapter on how workers in the UK *experience* precarious work, labour market non-compliance, and other work-based harms. We present a reflexive thematic analysis of data from our in-depth interviews with 24 people in precarious work, all of whom had already participated in the Working Lives Survey. For details on the sampling and sample, please see Chapter 3 and Appendix E. It is worth stressing that unlike a survey, qualitative research generally prioritises closer engagement with a relatively small number of participants and random sampling is neither useful nor meaningful¹³⁵ (Marshall, 1996; Onwuegbuzie & Leech, 2007). Quantification and generalisation are simply not the goal: instead, qualitative research is very well-suited to unpacking the messiness, subjectivities and contextualities of situated human experiences and perspectives¹³⁶.

This chapter’s analysis centres on factors that appeared to mediate how precarious work, non-compliance and/or other work-based harms are *experienced* by individual workers. The six main themes identified as having mediating effects were: 1) household and family socio-economic position; 2) maternity and motherhood; 3) workplace resourcing, intensity and stress; 4) sense of agency and autonomy; 5) community and isolation; and 6) awareness and confidence to challenge issues. Their mediating effects varied depending on where someone sat on each variable, which was generally better seen as a spectrum than a binary. Thus, each theme could function as an insulating or aggravating factor, or something in between (i.e. roughly neutral).

These themes reflect the main cross-cutting issues identified in the interviews, rather than being an exhaustive list of *all* possibilities that could cushion or exacerbate the impacts of precarious work, labour market non-compliance and other work-based harms. We also identified one additional apparent mediator: how management and the workplace respond to problems that occurred, and workers’ attempt to challenge them. For cohesion, however, we incorporate that into the next chapter instead, as it focuses on responses to labour market non-compliance and other work-based harms.

Importantly, our data and analysis do not support the view that being a precarious worker (at least as defined in this study) is *inherently* or *necessarily* negative. Indeed, some participants were generally positive about their current jobs and what they offered them, although that certainly does not negate the well-documented negative impacts precarious work can have for others (see also Chapter 2). Indeed, many other participants had much more mixed or negative perspectives and experiences. Notably, some of these negative experiences came from previous jobs. Additionally, the interviews demonstrate that even when labour laws within the former DLME’s remit did not appear to have been breached, conditions could have violated other laws and/or been experienced as problematic for a wide range of other reasons. That emphasises the value of looking at labour market non-compliance

¹³⁵ Random sampling is very rarely used in qualitative research for several reasons, not least because the depth of engagement and time required to do good qualitative research and sheer volume of unstructured data generated demands smaller samples. For smaller samples, random sampling error would be so high that representativeness would not be achieved anyway.

¹³⁶ Amid this context, as is the norm in qualitative research, we often speak in broader terms such as ‘some’, ‘many’, ‘most’ and ‘several’. That allows us to give the reader a sense of typicality within this sample without straying into inappropriate attempts to constantly quantify insights. Occasionally, however, we do provide some additional information in this chapter at aggregate sample level (e.g. around income or housing). This is purely to give some broad contours where it is particularly relevant to something being discussed, not about helping assess whether this sample is representative or not (n.b. it is not).

not in isolation based on agency remits, but rather in a more holistic way. That was a key strength of this study.

Overall, the interviews covered a highly varied set of experiences related to labour market non-compliance and other work-based harms. This was in-line with our methodological approach which had sampling for diversity at its core (see Chapter 3). The issues participants discussed included diverse forms of wage theft (e.g., underpayment of National Minimum Wage, non-payment of holiday pay, unpaid extra hours, being expected to pay for work-related essentials without reimbursement), irregularities with payslips and contracts, difficulties taking annual leave and sick leave, physical and verbal abuse, bullying and harassment, discrimination, unsafe or unsanitary working conditions, work-related stress and other health issues and concerns. In the interviews, every participant described having experienced and/or witnessed *at least one* of the eight main categories¹³⁷ of issues on which the Working Lives Survey focused (see Chapter 8). Overall, many participants had had considerable and varied exposure to different types of work-related issues. For some, such issues would not have been captured in the survey's two-year window of focus, because they happened further back in their working lives. This means that not everything discussed here necessarily speaks to the realities of the current world of work, although it remains an open question whether and to what extent the negative experiences they had in the past might persist for others in the same job today. Whatever the case may be, the interviews showed that negative past experiences could also leave lasting impacts and shape how participants viewed and related to current positions.

Factors mediating experiences of precarious work, labour market non-compliance, and other work-based harms

We now present each of the six themes in turn. The results are illustrated throughout with pseudonymised direct quotations from the interviewees. For clarity and brevity, we edited some quotes down, particularly longer ones¹³⁸. However, to better reflect the participants' own voices, we have tried to maintain dialect, filler words ("like", "you know", etc.), original emphases (shown in *italic*), grammatical idiosyncrasies, and occasional swear words (for these we needed to use asterisks per the Government's policy¹³⁹).

Household and family socio-economic position

While socio-economic status can be assessed at individual level using participants' income, education, and type of work, the interviews quickly revealed the limits of a purely individual-level analysis. Indeed, socio-economic position at family and/or household level appeared vital in mediating experiences and impacts of low paid and/or insecure work in general, and to some extent of labour market non-compliance and other work-based harms. In fact, our results indicate that household and family position may well matter *more* than individual socio-economic position,

¹³⁷ The eight main categories were: NMW violations; unfair deductions; unpaid extra hours; payslip-related violations; leave-related issues; physical injuries (to self or co-worker/s), negative mental health impacts of work, and bullying and harassment. The ninth and tenth categories were contract- and key information-document-related violations (asked only of survey participants who started a previous job in the past two years, and unlawful work-finding fees (asked of agency workers only) (see Chapter 8). Since were asked only of a subset of survey participants, they were not used for sampling for the interviews.

¹³⁸ In line with convention, the notation '...' indicates there was other text in between the bits quoted.

¹³⁹ Government Style guide, available at: [government style guidance](https://www.gov.uk/government/style-guidance)

because of the way it can enable positive experiences of precarious work for some, while trapping others in financial instability.

This basic diagnosis holds true independently of the current ‘cost-of-living crisis’, although, as costs rise and wages stagnate, low-wage and insecure work can become particularly unsustainable for households reliant on it. One particularly important dimension of household/family position was housing (in)stability, others included other household incomes, financial responsibilities, and access to state benefits. In contrast, certain aspects were linked more broadly to life stages (e.g. high childcare costs, pensions). The relative importance of participants’ earnings to household finances varied greatly, and the rising cost of living was regularly raised as an additional stressor. We also considered here pay satisfaction, which varied and was often linked to affordability of life on one’s earnings, and work-related stressors. Finally, this section highlights how subjective experiences of non-compliance and other harms in the labour market can be.

Twenty of the twenty-four participants were on low income as per our study definition: i.e. they earned less than £24,000/year pre-tax¹⁴⁰. The other four met our research definition of being a precarious worker despite earning over £24,000 due to a combination of coming from an ethnic minority and/or immigrant background, working in a small workplace, and doing non-traditional work (see Chapter 2).

Yet, despite most participants having low income in common, both material situations and perceptions of the adequacy of earnings varied considerably. Household/family socio-economic position clearly appeared to insulate against or exacerbate the impacts of low income, as illustrated below in Sam’s experience of working in social care and going from being in a dual-income to a single-income household:

“Well...my husband’s out of work at the moment...so things are quite difficult at the moment. But normally, normally when he was working, my wages, you know, no issues at all.” – Sam

Illustrating the importance of family safety nets, David emphasised how being on his own, as a migrant in the UK, meant he had to be very careful with his finances (in sharp contrast with some others, who were able to draw on parental support for a place to live and/or emergency funds):

“I can’t afford to stay home...because I have no one here, is just me, I have to pay the bills and stuff. I don’t have my mum or dad to help me.” – David

Although he earned only around £13/hour in his job in a factory, David described still getting by “alright”, despite being in “bit harder times” with rising costs. That was helped in his view by being from Romania, and being used “to living a bit harder, not have always everything we want”. That speaks to the concept of a dual frame of reference previously mentioned.

The rising cost of living, and wages not keeping pace with inflation, cast a long shadow for many participants, impacting on their household finances. Several described struggling as a result. Difficulties faced by co-workers were mentioned by people in hard financial situations themselves, and by others too. For example, Amber said she managed alright herself on around £14/hour as a housekeeping team manager (“which is quite poor really, but I don’t mind...I have state pension now

¹⁴⁰ This is two thirds of the approximate median earnings in March 2025. Low income was an important part of our research definition of a precarious worker but not the only dimension (see Chapter 2).

and I have a company pension, so we're not hard up"), but emphasised that many of her co-workers were struggling with in-work poverty:

"The company is just expecting more and more and more, and paying *barely* above minimum wage, you know, they're pennies above minimum wage. And the benefit system now is such that they, they can work the hours but not the money. They're in a bit of a trap, a lot of the people [colleagues], because they're lower income people and lower income families, and it makes it difficult with the benefits system sometimes." – Amber

Housing (in)stability and (in)affordability was one particularly evident dimension of household/family socio-economic position. Seven participants were living in properties that were owned outright, 11 in properties being bought on a mortgage, and only six were renting at the time of the survey¹⁴¹. Had we had more renters in the sample, we expect struggles on low pay might well have come through even more prominently. As it was, rent or mortgage costs varied greatly between participants, and could absorb large proportions of their individual earnings, up to around half in some cases¹⁴². There were some indications that differences between housing costs as a proportion of earnings also reflected regional variation, and changes in housing affordability over time. Lynne's response to a question about the affordability of rent on her income speaks too to the squeeze she and others were feeling on housing-related costs more broadly defined:

"Not just the rent, because we've got the council tax, isn't it, you've got council tax, you've got the water bill, you've got the electricity bill, and then the gas. I've got a car, insurance of the car, like. Even phone bills, internet, it's, it's too much." – Lynne

Notably, those who appeared least impacted by low earnings were typically in either the oldest (55+) or the youngest (18-24) age groups. If older, they had usually paid off their mortgages or were in the late stages of doing so, and several also had access to pension income. Characteristic of such a situation, Robert was working multiple precarious jobs in music and education but described his situation as "comfortable", whilst Carlos spoke of his precarious but "lucrative" role as a dog walker/sitter as more of a "lifestyle business" and "retirement project" than a job:

"I have no mortgage, I have a pension, and I'm making enough. I'm comfortable, you know." – Robert

"I don't think we'd consider it working, really. It's a lifestyle choice. We don't have to do it...Some people do it because they have to. We don't. It's our choice...it's a lifestyle choice rather than a career." – Carlos

Not everyone who was older, however, was in such a secure position. Anwar, in his mid to late fifties, was a private hire driver in the gig economy. He identified as a "very hard worker", and told us that 10 to 15 years ago, he used to work 15- to 18-hour days "in the taxis". Now however, he repeatedly emphasised that he was "struggling", because ill health limited the hours he could work. Again,

¹⁴¹ One of the renters was then back living with parents by the time of interview. Of the others who were renting (where one might expect pressures to be sharpest), at least one was in social housing, and two others were receiving Universal Credit.

¹⁴² Sometimes people spoke in terms of rental/mortgage costs alone as a proportion of earnings, sometimes they also included bills. These figures are just intended to give a rough indication.

showing the importance of household finances, his wife was not in paid work, but his adult son who lived at home, was now providing vital financial support with the bills and mortgage:

“So, he helping out sometimes, you know, when I struggle, you know, to pay the bills. ‘Cos the bills are so high, you know? And my mortgage, you know, is about six, seven years left but mortgage is quite high because of the interest rate, you know?” – Anwar

Among the younger participants, there was considerable variance in household/family socioeconomic situations. Two of the youngest were working class mothers, each with a young child. Here, having access to Universal Credit, being lucky enough to get council housing, having a partner’s income too, and/or relatively inexpensive rents, mitigated the impact of low earnings (effectively serving as resilience factors). Nevertheless, they emphasised the precarity of their situations:

“My rent is £415 and my landlord, thank God, he’s not put the rent up in the past three years I’ve been living here...It helps that Universal Credit is topping me up. That helps a lot. I think if I didn’t have Universal Credit as a support, then...I’d have to find a second job.” – Hannah

“I think it [NMW] needs to go up more because everything’s just more expensive...I feel like how much everything is, isn’t matching the wage...So, I’m pretty good, because at the moment – so I live with my son’s dad, so my fiancé, we live together. And we’re Council...so my bills and my rent altogether, it’s about...£650, so that’s half of our bills, half of our rent...So, I’d probably say it’s about half, half of my wages [on bills and rent]...I mean if I was on maternity right now, I would be minus £50.” – Sally

Relatedly, while Sally said she “would love...to continue” her current job in social care, she didn’t think “the money that I’m on is sustainable for the future”. This issue of sustainability of living on earnings at or around NMW also came up elsewhere.

The other four 18- to 24-year-olds were all living with their families at the time of interview, which appeared to make their low wages more manageable at present. All of them also pointed, however, to difficulties finding jobs that matched their interests and/or qualifications, and they generally saw their current precarious jobs as a stepping stone or as a stopgap. Having a sense of prospects and some safety net seemed to mediate their experiences so far. For example, Scarlet had been doing part-time jobs in hospitality since her teens and was fairly positive overall, despite having experienced several years of non-payment of holiday pay, contract-related violations, and other issues while working in a café/bar alongside her university studies:

“It was quite a fun job, just ‘cos it was very like sociable, but it’s probably not the like highest working conditions, just ‘cos it is minimum wage and it’s like a bit rough around the edges.” – Scarlet

Cleo, another recent university graduate, was doing remote AI-related piecework in the gig economy. Although her hourly rate was high, she worked very few hours, alongside applying for other jobs she actually wanted. She appeared ambivalent about the job, despite the isolation, insecurity and ad hoc unpaid extra hours described. This position appeared to be cushioned by housing security, having considerable autonomy (see theme 4), not depending on this job for survival, and seeing it as a stopgap and a chance to decompress after a stressful period:

“If I don’t want to work there is no real penalty, other than I don’t get paid because I haven’t done the work, and when I want to work there is pretty much always something to do. It may not be your *favourite things* but there is always something new to try, I guess.” – Cleo

Daisy was the final participant living with parents and was slightly older (mid to late twenties). She was working as a part-time cleaner on NMW. Illustrating the importance of household situation, she said she could currently “get by pretty good” on only around £700-£800 a month, paying about £200 of it to her parents in rent. However, she said she was looking to start a second job so she could save to move out. Despite her positive outlook, her experiences point to how limited options beyond low-wage, part-time, precarious jobs can be persistent barriers to living independently on a single income, given the state of the housing market.

There was considerable variation in whether and to what extent individual low earnings were offset by other household income: at one extreme, some were the main or only earners, at the other, some saw their earnings as a bonus not a necessity. We asked all participants how well they could get by on their earnings, and if they thought their hourly rates were fair for the job. Among those on low income (all but four participants), responses ranged from relatively positive to negative, with some ambivalence in between (e.g. “It’s alright. It’s just, it’s minimum wage, innit, so I’ll try and get a different job hopefully.” – Mundy). Earnings could be low due to low hourly rates, limited hours worked, or both. Where participants felt rates were too low, it was generally linked to rising costs of living and/or perceived stressors (e.g. anti-social hours, intensity of work, or occupational hazards). Importantly, dissatisfaction was not unique to those at or around the NMW but also shared by some on higher hourly rates who felt pay rates did not reflect the job’s pressures and risks. Some of these concerns are reflected below:

“I don’t think the minimum wage is suffice [sufficient] for nights. You’re working unsociable hours so I think we should be paid more.” – Donna

“No, I don’t think that er the minimum wage is really much, like for such a busy job.” – Scarlet

“No, I don’t think so...If you’re working in a [private] care home, you get £24 per hour or £25 with *less stress*. And then if you work in the NHS, you get paid only this much [£18/hour] and you need, you get to care for nine patients. Like I work in a gastro ward. We have alcoholics as well who gets confused and they can be like a danger to other people or to other staff. So, I say they should actually pay us like hazard pays...We’re *risking our lives*, if that makes sense...So I don’t think it’s quite fair just to give us that amount of, of salary, hourly rate.” – Lynne

Overall, pay was an unsurprisingly important part of how participants experienced precarious work, and there were some indications it could relate more specifically to tolerance of breaches of employment rights and other issues at work. That was most evident in one extreme example from David, of working approximately 70- to 84-hour weeks the first time he came to the UK. During this month-long, cash-in-hand job involving building/repairing oil rig parts, he outlined circumstances indicating numerous possible breaches around very long hours, no days off, and a lack of contracts and payslips:

“We didn’t have payslips or anything. We weren’t paid overtime, you know, like extra the overtime. We did straight, did something like 10 or 12 hours a day. We had a bed and breakfast...We didn’t have time for anything. Like barely got time to cook your meal, have a shower. Maybe say half an hour on internet, fall asleep and back again. It was crazy... Seven days. No days off.” – David

He said he and his fellow migrant colleagues accepted these conditions because “it was very good money wise”. His account underlines how subjective experiences of labour market non-compliance and other work-based harms can be, relating to individual cost-benefit analysis and whether reality matches the promises at recruitment. Long hours can be precisely the appeal for migrant workers, stressed David, when the goal is to make as much money as possible as quickly as possible. We asked whether he was paid as agreed and he said he was, with his response below indicating a perceived red line around pay that lay between questionable but subjectively acceptable conditions and what could otherwise have been seen as labour trafficking:

“No, they did pay the money because that was the line where you don’t cross. You have to pay the money because otherwise then you go to the police or worse...Yeah, they told us [what the hours would be], I think. That’s the thing because this is what people want, Romanians. They want loads of hours, loads of money...it’s this rush for money, to get the money. In a short period get as much as you can.” – David

Ultimately, while he characterised this work in hindsight as “something dodgy”, his own experience was not one of harm, once again underscoring the importance of subjective lived experiences as well as objective, measurable dimensions of work.

Maternity and motherhood

Showing the importance of a gendered lens, maternity and motherhood were closely intertwined with many of the female participants’ trajectories into, through, out of, and/or back into precarious work. Caring responsibilities were often major considerations in how mothers talked about their work-related experiences, decisions and perspectives. They could also exacerbate the impact of certain work-related issues, particularly expectations of unpaid extra hours, difficulties around taking leave, and lack of accommodation for caring emergencies.

Several mothers in our sample described needing to balance their own work around both childcare and their partners' work. The high cost of early years childcare was repeatedly stressed too, which could lead to mothers working anti-social hours like evenings, night shifts and weekends. For example, Lynne described needing to fit in part-time nursing around being the primary carer – and often the only carer present since her partner worked away. She described finding nightshifts particularly exhausting but not having “any choice...basically”, with her account underlining how the health impacts of antisocial hours can be exacerbated in the context of motherhood:

“It does drains me physically. But erm the good thing is that since I put my children to nursery and they go to school, if it's not half-term, regular school – I get to sleep in for a couple of hours. I drop them, so I got off from work, from a nightshift, I prep them for school and then I drop them to school and then I go back home and then have a few hours of sleep, so I get some time for rest and then get them, pick them up from the nursery again in the afternoon. So well, it's, you know, kind of erm difficult to sleep during the day because you're not used to it, but then again, yeah, there's, I don't have any choice, yeah basically.” – Lynne

With or without anti-social hours, mothering and wanting to spend more time with one's children could also be a motivation for changing role or industry, as illustrated below.

“So, the main reason I changed jobs is 'cos my son was six months old at the time and where I would get home from doing my waitressing job, I'd get home at like midnight... I missed out on a lot of, you know, the bits with him, so I swapped to do a more sociable hour.” – Sally

“I wasn't getting home 'til like seven, half seven and when my eldest, the day nursery used to shut at seven, so I used to get *charged* [i.e. for being late] and then she was, she was a baby, she wanted to go to bed. So, I would just literally take her home and put her straight in bed and not have any time with her...It was basically the lack of flexibility to families really that was the main thing.” – Spencer

Finding work that fits around childcare could be a challenge for some. Hannah had worked in social care since the age of “17, 18” and quit during the Covid-19 pandemic after finding out she was pregnant. She had been out of paid work since until recently. switching career to be a self-employed beautician after pressure to find employment (“Universal Credit were like you need to get back into work. I was applying for everything, couldn't find anything that fit around my child”). A major benefit of her new job, she said, was the way she could balance work and childcare, mostly working from a room at home:

“I definitely prefer this. And it feels a lot more work/life balance. I don't physically like, have to think, I need to get my son here, I need to get him in childcare, I need to sort him out and then I can go to work. Or if he's ill, it's not like, oh I have to call in sick. It's like I'm still working from home; he can sit in his bed with a tablet while I'm with my appointment, kind of thing. So, I feel like I'm not missing out anymore. It's a lot easier. It's just so *much* easier.” – Hannah

We spoke to three nurses, all of whom described having children as being the reason for switching from full to part time. Issues they pointed to include the high cost of early years childcare, difficulties finding childcare compatible with shifts, and needing to accommodate partners' work. Showing how the impacts of wage theft could be exacerbated in the context of motherhood, Nicky described finding expectations to do training during unpaid hours increasingly problematic now she also had to factor in the logistics and costs of childcare:

“But because we don’t have enough study hours or paid hours to do this, we are then having to do it in our free, free days. So, basically like last Monday I had to go on a 9am to 4 o’clock training on my own on my free day, just to get this training completed. And I have a child, I don’t want to spend £60 extra on a nursery...so that someone can look after her, because my husband also has his day job. So, I have to ask erm ask a favour from a friend. Luckily, I had a friend who was available last Monday to look after my child, otherwise I would still be picked up by my manager that I haven’t still complied with this training.” – Nicky

The financial challenges of navigating maternity leave as a precarious worker were also raised, although only by one participant. Sally’s quote below is a reminder of unequal access to time off paid work for maternity, particularly for those with no or limited employer benefits or ability to save up (here too low wages are salient, as is having employee status or not).

“Because that sucks, you know, the maternity wages, that’s rubbish so I hope that goes up... it’s about £600 a month that you get from the Government, which is *awful*... that would barely cover my rent, you know, so it’s really not enough to live on. And what happens with that is, a lot of women, they can’t enjoy their time with their babies, after they’ve just had, gone through something really traumatising, you know, sometimes. They-, I know some women who have just had to go back to work straight away because they just *could not afford* to be on maternity.” – Sally

That the NHS in England has relatively good maternity pay¹⁴³ might help explain why concerns about low rates of statutory maternity pay did not come up more (of the five with young children, three were nurses). There may also be a question here of reverse causality, i.e. we do not know (and did not probe) whether others in our sample might have been put off having children (or more children) by their precarious working circumstances or indeed whether considerations around having (more) children might have led people to self-select into job/professions perceived as more parent-friendly (more broadly, there was certainly evidence elsewhere in the interviews that calculations around childcare affected work-related choices and trajectories, but with maternity leave in particular there was little information).

¹⁴³Sally also noted that the NHS having unusually good maternity provision (“I think the only company that I know of that are really good with maternity is the NHS”).

Other difficulties managing precarious work as a mother (particularly of young children) included the high cost of childcare, difficulties finding childcare to fit long shift patterns, and problems when children were sick. As the quotes below illustrate, how managers responded (more on this in Chapter 10) could make a big difference to mothers' experiences of caring emergencies:

"I had to go part time to, because going full time...no life balance at all and it doesn't make sense financially with nursery and everything. But I, I am really one of the lucky ones where my manager used to be a single mum...so she, she knows what it is like. My partner is always away....so sometimes I have to tell her that I really couldn't go to work today because my kid is sick. And I, I don't get any, like, side comments from it so, so I think I'm lucky in a way that my manager understands." – Maria

"My husband turned up at work saying the doctor didn't book the appointment and like my son couldn't breathe. He was like, "We *need to go*, we need to take him to the local hospital". So, I was like, "I need to go" and she [manager] was like, "Well you can't, what do you mean you've got to go?" and I was like, "My son can't breathe, I'm, I'm going." – Spencer

Spencer explained that the same branch manager (in financial services) also continually required staff to do unpaid hours either side of their working day: "We had to be there at eight, we were still there at seven at night, but we were only paid nine 'til five". The lack of flexibility and understanding, she said, around motherhood and life outside work were her major reasons for leaving. Particularly poor reactions to issues related to maternity and motherhood seemed (understandably) to leave lasting impressions. For example, Spencer also told us about the same manager also reacting shockingly poorly to her needing time off after a miscarriage, and to problems in a subsequent pregnancy, refusing to accept priorities beyond work:

"I had a miscarriage...I phoned and said... I was like, "Just to let you know, I'm not going to be coming in", and she was like, "Well what do you mean? *I had a miscarriage and I only had three hours off, Why aren't you coming in?*"...So, I had a couple of weeks off because it was *awful* and then when I fell pregnant with [child's name]...obviously I was a bit like, well you know, well I'll have another miscarriage, I'll lose – I was not in the best frame of mind...I phoned up...on my day off and just said, "Just to let you know, I'm bleeding so I'm, I'm going to the hospital". And she went, "Well, you'll still be coming in tomorrow morning, won't you?"." – Spencer

The impact of maternity and motherhood on working trajectories does not end when children get older. This was particularly evident in the experiences of Grace, who worked as a shop assistant. Now in her late fifties, she told us she'd started working in retail at 15, worked various such jobs, and then been out the paid labour market for almost twenty years while raising her birth and foster children. Returning to work recently, she was generally very positive about her job, despite low pay, persistent verbal abuse from customers, and physical abuse and threats to colleagues from shoplifters (she said she was largely unphased about that)¹⁴⁴, and structural damage to the shop that resulted in poor physical working conditions (that did bother her). The primary benefits she described were psychosocial (company, getting out the house, building confidence), with the extra income more of a bonus than a necessity:

"I'm only part-time, I only do eight hours a week, just gives me a bit of pocket money ... this is really me start back...if you know what I mean, just to get me away from the house for a little bit." – Grace

We also asked people where they saw themselves a few years from now in terms of work. Here, Grace's answer underlines the challenges of re-entering the labour market as an older mother after a long break and feeling (or indeed being) trapped in a low-paid role with few prospects:

"I would like to get out of there, erm, but then I think at my age I'm, I've sort of, like, limited myself. Erm, I don't know if I would be capable of doing anything else, I don't know to be fair...My age, er, me ability, experience, I think retail's really the only thing I've ever, I've got." – Grace

Donna's experience of actively wanting to work nights so she could use her days for other things, including spending time with her grandchildren and great-grandchildren, speaks to another way that motherhood can continue to shape women's experiences of precarious work long after children grow up. In a related vein, both Sally and Hannah described relying (at least partially) on their own mothers for childcare so they could get out to work. Amber's transition into one of her current jobs (as a cleaning team lead) had also been shaped by caring responsibilities (as a mother and daughter), as illustrated below:

"I was just looking for something, my father had just died, I'd been his carer...for a few years, and I was looking for something that was part-time, that was local, that would fit in with the kids at school. I was actually rejected originally, they said I was over-qualified." – Amber

Another responsibility that could intersect with motherhood (and familial obligations more generally) was remittances (i.e. migrants or diaspora members sending money to their country of origin to support family members or others there). Three of the four migrants we spoke to said they needed to remit money (all Filipino, female and nurses). Lynne's position came across particularly sharply: she said virtually her entire part-time salary went on remittances to the Philippines to support her own mother and her eldest child, meaning she depended on her partner's earnings as a painter/decorator to cover virtually all costs at home: "basically he pays for everything, which I am really thankful for". That also meant, however, that she had limited say over what hours she could work: "my partner is the primary provider, so I need to...just compromise, you know, with him because he pays for everything".

¹⁴⁴ She described a colleague being assaulted (pushed) by a shoplifter and others being too afraid to wear their uniform home because of fears of recriminations from shoplifters.

In contrast to how strongly maternity and motherhood featured, there was much less organic discussion around how fatherhood intersects with precarious work. The two notable exceptions both involved telling us about moving from precarious self-employment to more secure salaried employment. In one case, Robert told us about deliberately moving industries (from being a freelance musician to a salaried teacher) in the pursuit of greater security in this new life stage: “I needed the security, and I needed a pension and sick pay”. In the other, Rex had a serendipitous offer of an employed position in the same industry. He said the shift away from self-employment and its uncertainties had dramatically reduced his stress levels and improved his family life as he was no longer “always bringing the stress of that home, taking it out on the wife and children, etc., and being stressy and moody”.

Workplace resourcing, intensity and stress

Levels of workplace resourcing, intensity of work and stress were important dimensions in how participants experienced precarious work. High levels of stress and workplace intensification were often related to experiences of work-related health issues and concerns and reduced job satisfaction. Target culture was frequently cited as fuelling stress. Not having sufficient time to do a job properly was described and experienced as demoralising. Financial restrictions on companies translated into increased demands on workers from management. Insufficient resourcing appeared to fuel various forms of non-compliance with employment laws, such as not being able to take legally mandated breaks, expectations of performing unpaid extra hours and pressures to spend money as an employee on work-critical resources (e.g. a teacher paying for materials for lessons). Some described a notable deterioration in conditions over time. Such issues applied across both private and public sector jobs.

Insufficient resourcing, work intensification and target culture were often closely interlinked. In the public sector, for example, Lynne’s account below depicts a relentless, “manic” pace of work that she particularly attributed to insufficient staff-patient ratios. While she said the nightshifts were less demanding pace-wise, she said the trade-off was the “toll on your body” from not sleeping all night, which she described as “a different level of fatigue”. During day shifts, however, she found the pace overwhelming:

“It’s *just manic* and patients mostly they need assistance most of the time...it’s just non-stop. We’re giving medications, erm, changing the patients, carrying out doctor’s orders, erm, until, until nighttime...it’s all manic all the time and there’s only one of me taking care of nine patients and you don’t only have to deal with the patient but sometimes you need to deal with the family as well.” – Lynne

The nurses we spoke to all raised concerns about reduced staff wellbeing and patient safety due to under-staffing. That was described as a problem both in terms of staff-patient ratios and a tendency to pull staff from one unit to cover shortages elsewhere without due regard for their training and experience. Part of the challenge, they said, was that management were aware of these problems but seemingly unable to address them because of downward pressures on them too:

“But it’s always those who are new and quite at the bottom end that’s being pulled... like our managers can’t do anything because they just have to do what as well they are being pressured to do, but it’s not just our unit, it’s everywhere. And I always, I have seen a lot of nurses, new nurses especially, who have been in tears because they’ve been asked to do things that *they’re not trained to do*.” – Nicky

“So, they [managers] know that it’s, it’s really not safe. We’ve got lots of people falling because, of course, patients want to go to the toilet and then there’s no one to, to help them.” – Lynne

Also in the public sector, Tania’s previous experience as a call handler was of anti-social hours, frequent verbal abuse from callers, target culture and high-intensity work combining to produce considerable stress, as detailed below. Linked to the high-intensity work, she also said it was also extremely difficult to exercise rights to annual leave and sick leave, stressing that “You was scared to take a day off sick” and “They just didn’t like people taking any time off at all”. She too described a relentless pace:

“The staff turnaround at [workplace name] is quite high because people just can’t, can’t take the abuse, or erm the high intensity of the job itself. Like there’s a...a board on the wall, like a digital board, and it tells you how many calls are waiting, how many calls have been answered in that day and the call waiting was always in the red. There was *always* a call to answer, it *did not let up*. There wasn’t any breaks. Erm, yeah, so it was really intense and stressful, so a lot of people don’t last that long.” – Tania

In the private sector, Amber said there was high turnover of housekeepers due to a “combination of poor pay and extremely hard-working conditions”. She saw this as fundamentally “a profiteering issue. It’s the company wants to make more money, and they try and squeeze more out of us”. She told us how time to clean was allocated, how this time was ever shrinking, and how it did not take account of actual times needed to clean, nor to travel to or between locations on site. Her frustrations were evident in how that apparently set workers up to fail:

“And then you end up with, you know, complaints because some things are missed, because you can’t do everything...and then they get the feedback which is negative and it’s just demoralising. Then worst of all, they put your targets up. So, you know, you couldn’t reach the target they set, so what do they do? They put it higher, yeah, that’s really going to make you feel good.” – Amber

Target culture was also discussed in other contexts, including financial services, social care, and administration and support. Participants' accounts showed how it could impact negatively on mental health, job satisfaction and even sense of self. Sam's account of working for a private sector homecare company subcontracted to the NHS and social services underlines these dynamics, and some of the risks and costs to workers that can arise:

"Basically, you're rammed out, you have like a lot of...calls that are quarter of an hour long and they don't give you enough time – you can't do the work they want you to do in quarter of an hour, it takes a bit longer. And they don't allow you enough travel time, erm, so you're rushing all day...and you can work from six in the morning until 11 at night, with an hour off for lunch. Erm, and you're basically just rushing, so you're rushing to a house and help someone have a wash, and then you're running late because they don't give you enough time to do it properly. Erm, so, in the four years that I did it, I definitely changed, I definitely became...less caring, because I didn't have time. It's like for instance, say I got someone out of bed and I, you know, dressed them and got them ready, and then before I went, they had an accident, they wet themselves or something like that. I'd leave them in it *because I had to*, you know, I had no option...you could do eight morning calls and erm, it just, it wasn't, I just couldn't. It was my own car as well, and I got a couple of...speeding fines in that time that I did it as well." – Sam

In some sectors, understaffing was experienced as a work-related health risk (as discussed already). In others, it intensified the work but was less likely to be seen as dangerous. There too, however, there was a similar sense of being "expected to do more, and more, and more" on stagnant pay, as in Grace's quote below about how leavers at her minimum-wage job in retail were no longer replaced:

"I think they want more, companies want more for less if you know what I mean?...We're expected to do more, and more, and more and it's still not enough but then I think that's the Cost of Living [crisis], there is no money. If somebody leaves their hours, we take their role on and there is nothing extra, they will not replace them and that's what's happened. We've lost quite a few and they won't replace them, so you're like trying to do 50 different jobs for the same wage." – Grace

A common consequence of understaffing was missing out on break times to which workers are legally entitled. Regardless of whether those breaks are paid or unpaid, this is not only a breach of labour rights but also a form of wage theft: additional labour is happening without equivalent compensation. Some participants were relatively unphased about missing breaks, whereas others felt the loss hard. As Scarlet's quote below shows, not taking breaks can become normalised and feel inevitable even if not actively forbidden. Amber's quote also hints at what a grand scale wages may be lost to such insidious wage theft, given the scale and duration over which her workplace had been breaching these entitlements. Her experience also underlines that compliance on paper does not necessarily mean compliance in practice.

"Yes, if it was longer than six hours and there was someone else there then we would [get breaks], but if it's too busy, we'd kind of just be like, "No, it's fine, don't worry." ...sometimes it would be a bit annoying, 'cos erm it's obviously like nice to get a break, sit down for a bit, but erm, I don't know. I didn't mind that. It didn't worry me too much that, not having a break." – Scarlet

"It's only recently that we, we were allowed to take a lunch break. So, we've been working eight-hour days, erm quite happily without a lunch break for, me probably five, ten years. But then they put in this electronic system erm for clocking in and clocking out, as opposed to signing in on a bit of paper, and suddenly realised that we all had to take in a half hour lunch break. So, that's only happened in, what, 18 months ago. But they made us do an extra half hour in the day. So, we were doing... 8:30 'til 4:30 or something, we have to do an extra half hour now, so that we can take a lunch break. But a large number of us still don't take a lunch break, because we can't get the work done." – Amber

Two participants who were employees described having to buy resources themselves, another form of perhaps less obvious wage theft. One was Jake, a primary teacher, who attributed the situation to an ongoing rollback of resources in schools: otherwise, "you haven't got the necessities that you need to, to teach". His experiences spoke to a gradual degradation of conditions and subtler but normalised forms of wage theft that may not be immediately recognisable as non-compliance, by workers themselves or the State:

"'Cos teaching, I've been buying my own resources. Erm, so, I've had to buy, I bought pencils and glue for the class and, yeah, things. But whenever you're doing a science experiment there's always stuff to buy whether it's like, yeah, recently golden syrup, and butter, and jam...So there's lots of stuff with that teaching." – Jake

The impact of insufficient resourcing was also discussed in the context of the physical condition of workplaces (e.g. structurally damaged buildings), temperatures at work (insufficient cooling in high heat) and general cuts to perks and allowances. Such issues were generally spoken about as demoralising first and foremost, although they could also be a source of stress. For example, Mundy worked as a barista on NMW and described his greatest frustrations as the heat and crowds, whereby the managers/owners refused to invest in better cooling ("We've got like one fan in that shop and it's so hot"). His account spoke to fluctuations between quieter periods and periods of high pressure, physical discomfort and stress, all on the same NMW pay:

"'Cos it's, you know, it's got hotter, and it's just when there's a lot of people as well, like I can't see the queue, where it ends, it goes round the corner, and it's very stressful when you're on your own and you've not got a second person on shift with you, and it just makes you feel so much hotter then. I'm dripping sweat at that point." – Mundy

Although there is a minimum legal requirement on temperature for workplaces in the UK, there is no maximum equivalent. However, heat was a major frustration for David too, who told us temperatures in the factory where he worked sometimes exceeded 40 degrees Celsius. What he describes *may* be legal but certainly raises concerns about the extent to which profit can be prioritised over health and safety. Not only did his management apparently refuse to invest in decent cooling, but they also may have tried to downplay issues by placing the thermometer away from the hottest working area:

“It’s very hot like I told you. They don’t really care...They want to make money, profit to make sweets... sometimes it’s even about 40 [degrees] and I think it’s more actually, but where they put thermometer, it doesn’t show the real [temperature]. When you’re close the fire is actually hotter. Never mind [that] you work physically and the sweat is hot as well.” – David

The increasing prominence of the gig economy can be another reflection of cost-cutting pressures. Two participants raised concerns about the impacts in their industries. In the music business, Robert stressed that the “gig economy is, is taking over”. He described how even the most prestigious jobs were increasingly shifting from salaried positions to per-rehearsal and per-performance pay, with particular ramifications for those playing “minority” instruments (i.e. those that appear in fewer compositions).

In transport and delivery, William described a race to the bottom, with gig workers competing to place blind bids on work offered on a task-by-task basis. While he felt the internet had made such practices much more visible, he emphasised that undercutting and profiteering had “always been there”. Nevertheless, he pointed to the absence of standard set minimum fees that could protect workers who fall outside of NMW entitlement, and to the notoriety of one multinational online retail giant. While its poor financial treatment of gig economy delivery drivers stood out as “terrible”, he said, he also emphasised that they were “not alone” in the industry in behaving in this way:

“[Name of retail giant] have really got a bad name in transport...They er put stuff [transport and delivery gig work] on the internet and it goes like a bidding war. And I’ve heard of people going from say Northampton to one of the hubs up in the central belt in Scotland for less than £500, and erm that’s an awful long way...And if I give you a rough experience, I can get three, say three, three thirty [£330] to go from [place] to [place]...Like 65 miles. And when you think they’re going a lot more miles....And they’re not alone, there’s a lot of people like that in this transport business. It’s, I think there should be a standard fee per mile maybe, or per job, and no-one can undercut.” – William

Overall, the general tendency among participants was to feel the impacts of cuts, intensification and/or target culture through increased stress and pressure at work. Nevertheless, a handful appeared to be relatively shielded from such developments and consequently much happier with their working conditions.

Sense of agency or autonomy

Levels of agency and autonomy often appeared to mediate both participants' experiences of precarious jobs, and the impacts of certain breaches of their rights and other harms at work. Where people felt more agency and autonomy, they tended to be more tolerant of otherwise potentially harmful issues. For example, long hours worked by choice were experienced very differently to mandated long shifts. Similarly, below-NMW pay was seen as tolerable in some freelance circumstances but not others. Participants in their current roles all met our research definition of a 'precarious worker', but many discussed current roles in contrast to past ones. Their accounts often revealed diverse experiences in work of varying degrees of precarity, and the importance of relative conditions in terms of how they understood their current positions. Many participants also demonstrated considerable agency in their overall working trajectories, including in how they navigated changing industries and jobs. Finally, migration to the UK for work can itself be seen as an expression of agency.

While the interviews focused primarily on working conditions in the UK, the four migrant workers we spoke to also discussed (to varying extents) their previous working conditions elsewhere, including in their countries of origin and other countries outside of the UK. For all four, going to work abroad was an active strategy to improve conditions relative to options at home, as illustrated below.

"That's the fast way ticket to get out of the country. So that's why I did the nursing there and then yeah, so applied abroad as well. It's more on the erm getting out of the poverty line really." – Lynne

"I didn't come here for to live the same like I did in Romania, you know. Like, I obviously came...to have more security and more, you know, a bit of a better life." – David

Nevertheless, deteriorating experiences of working conditions could reduce the pull to stay in the UK: as explicitly mentioned by one of the four regarding devaluation of wages and another regarding increasingly overt racism and the concerns that it raises.

Certain participants stood out for the way high levels of autonomy apparently made various potentially problematic aspects of their precarious jobs much more manageable. For example, Robert spoke of high autonomy translating into low stress, despite juggling multiple insecure jobs in music education, composition, performance and consultancy:

"This feels like retirement to me, it really does...It feels like retirement, although I'm very, very busy, but because I have so much control over it. In terms of stress, I have none. None whatsoever, unless I self-induce it by creating a deadline that's unrealistic." – Robert

Such freelance work is outside of NMW protections. and pay offers were sometimes extremely low. Yet, he described being able to weigh up both financial and non-financial costs and rewards, and exercise considerable discretion in what he took on:

"And then you'll have a small local arts community that have fundraised for something, and they've got a *tiny* little pot that they want to do this nice thing and it's £50. "We can pay you £50". I say yes to those things. I do those gigs because I get it, community music making as opposed to the big millionaire promoter." – Robert

Although he characterised the music industry as very exploitative (financially and sexually), he explained that being older, more established, and less reliant on the work gave him considerable autonomy and control. Thus, his experiences now were fundamentally different from earlier in his career. Nevertheless, he expressed concerns that similar challenges persisted for today's generation of early-career musicians:

"It's still exploitative because they still work on the basis of – it's vocational. Erm, different for me because I can say, "No, thank you", but young people – my son has just left the [name of institution], he's doing the same thing now and his experiences are similar to mine in the day but not as harsh. Because he has to build his career from scratch so he's having to do things and say yes to things he doesn't necessarily want to do." – Robert

Another example of high autonomy was Venus. He was one of the highest earners and working the longest hours of anyone at the time, reporting 75.5-hour weeks across full-time employment and his own IT consultancy. In the interview, however, he stressed that this was by choice, he did not find the long hours problematic, and he had considerable autonomy in both jobs. He particularly valued this autonomy in contrast to his previous experiences in retail banking of being "micromanaged", dealing with constant targets, and experiencing racial discrimination and abuse.

Importantly, high levels of autonomy were neither unique to nor ubiquitous in more vocational roles. The value of autonomy came up for other participants across different income levels and industries, including in nursing, teaching, beauty, social care, public administration, administration and support, plumbing, retail, and transport and delivery. As illustrated below, autonomy could relate to various considerations, including choice of hours, control of workload within that, a sense of being listened to by others, and being able to do extra to help others (see also next theme):

"Well, being a teacher I think I've got quite a lot of control. Erm that's what I also like about the job... you do feel more you are your own boss, which is nice." – Jake

"Like I love the creativity of it – like I get my own diary, and we don't have er like targets and we don't have strict activities, so we can just choose whatever we want to do." – Sally

"I just do the hours that I'm happy with and then if they ask me to do extra, and I can, I do extra." – Grace

Autonomy also related closely to questions of flexibility, ability to set one's own hours, accommodate health or family emergencies, and generally balance work and life:

"What do I like the most? The sort of flexibility within the working day, I'd say, yeah definitely that, definitely that...as long as the work gets done, what's been asked of you, they don't ask for nothing more than that." – Rex

Those working in the gig economy, typically described flexibility as a core benefit:

"I mean it's *really nice* that I get to choose my own hours...And I guess there, there is a nice variety of tasks, I guess, because if I don't feel like the one, I can always just choose a different one to do." – Cleo

"Yeah, it's the freedom, innit, yeah, you can start any time, you can finish any time, if you don't go, you don't go. They don't call you, "Why you didn't come?". – Anwar

At the other end of the spectrum, some participants stood out for apparently having relatively little autonomy at work. One such example was Af, who described having little control over his work, and was also an extreme case of being subjected to remote video surveillance: working from home but mandated to always keep the computer camera on. He talked about getting “a better job”, and when we asked what that would look like for him, his answer was telling. He emphasised not only higher pay but also less stress and more autonomy and control:

“So first of all, it’s pay...The second thing is mainly flexibility of how it is...quality over quantity and you’re not really bombarded with a lot of cases that you’ve got to work towards targets.” – Af

Another example was David, who worked as a sweets manufacturer and described having little autonomy or chance of progression at work. Overall, he seemed bored in the role and repeatedly stressed the “very repetitive” nature of his manual labour, but was cautious about risking a move elsewhere at his current life stage:

“Basically, it’s very repetitive. It’s like routine. Is a job you get in and go out, something like that. Starts at six [am] and you finish at quarter to three [pm]... Basically, it’s very repetitive. It’s very hot, because obviously you boil sweets. It’s quite a hot environment, especially now in the summer...It’s very repetitive basically, the same thing, you don’t have many surprises...The same thing every day.” – David

A particular frustration David raised was being pressured to take annual leave on the spot if something broke down in the factory. Although the laws on annual leave are complex, the practices he described are unlawful, with apparent breaches on multiple fronts¹⁴⁵. Crucially, he also experienced this behaviour as harmful (“the other thing that I hate the most”) and as an attack on his autonomy, in the sense of losing control over his days off:

“The other thing that I hate the most is, for example, if, I don’t know, the main boiler broke... there’s nothing to do, they ask us all who wants to go home...they have to shut down, they ask us to book holiday from our hours. They basically force you. I think this is bad as well...I think you should pay us anyway if you send us home.” – David

¹⁴⁵ While employers can require workers to take annual leave when a factory is shut down (e.g. because of scheduled maintenance), they must give notice when requiring that. That notice period must be twice as long as the period of leave. As such, requiring workers to take annual leave on the same day as the notice violates the notice requirements. In addition, pressuring workers to submit a leave request themselves (so there is the appearance that the worker requested leave not the employer) is also unlawful.

Relatively few other participants reported difficulties taking annual leave when wanted or needed, but where it did happen it seemed to be similarly experienced as undermining autonomy. That is also evident in Nicky's discussions below about difficulties taking her leave in nursing (here with additional complications around childcare):

"I know it's hard...because obviously they need to get staff covers and stuff. I know that there's a lot of other erm, erm factors involved why they're doing it. But sometimes being human, you tend to feel a bit erm frustrated that you can't have your annual leave on the days that you want to have your annual leave...And also if your kids are quite young, you'd end up spending money for someone to look after them, because you're at work." – Nicky

Overall, agency and autonomy appeared to be important factors in how participants navigated precarious jobs and the challenges they faced there, including breaches of their rights as workers' and other work-based harms.

Level of community or isolation

Participants' experiences could range from their precarious work being a valued source of community to an isolating experience. The interviews indicated two main ways in which a sense of community was experienced: feeling connected (for example, to colleagues, customers, clients, or even to nature) and making a difference in other people's lives (including but not limited to those in traditional 'caring professions'). Most notably, there were numerous examples of ways in which positive community could help in resisting various breaches of workers' rights and other work-based harms, and in mitigating the negative impacts thereof. Some of these can be understood as expressions of solidarity in action. Yet, there were also examples of ways in which colleagues themselves could be the source of harms, and how toxic community norms could impede challenge. Finally, some participants described very isolating experiences of work, which could both be inherently draining and exacerbate the impacts of certain problems (such as verbal abuse in remote call handling jobs).

Overall, many participants talked to us about ways in which they found their current or previous precarious jobs rewarding. Despite sometimes difficult conditions, lots described finding the work satisfying, in particular because of the social dimensions highlighted above. Many had been subjected to various breaches of their labour rights and other harms at work, but their accounts paint anything but a sort of one-dimensional victim caricature. We emphasise this not to excuse or normalise poor treatment or devalued labour, but to acknowledge the importance of workers' subjective, nuanced assessments of their working conditions. Notably, participants demonstrated considerable resilience to poor working conditions and, even in the face of problematic management practices, frequently drew attention to positive, self-fulfilling aspects of work, most commonly psychosocial benefits and satisfaction in the tasks themselves, as illustrated below:

"I mean, despite moaning for the last hour...I do actually enjoy my job, with its frustrations. And I think most of my team enjoy what they do, for whatever reason, whether it's just being with the people or whatever, it is a nice place to work in many respects." – Amber

"And it's just having to see the difference you make to our patients' lives is, I think, the one, one of the most important erm things that gives me a lot of satisfaction every time I go home." – Nicky

A few participants singled out the community side to work as their primary motivator, as in Grace's and Amber's responses below to what they liked most about their jobs:

“The company, I’m not on me own because when they all went off to work... you just walk around on your own don’t you? Even though I only work eight hours, I look forward to them eight hours but then I look forward to me day off, me days off.” – Grace

“Working in the environment and with the people there, just because otherwise, I wouldn’t get out so much. So, you meet loads of people.” – Amber

Even where social contact was less of a primary driver, it was discussed more widely as something that made work more enjoyable or bearable, as illustrated below. This social dimension could help even when the work itself was characterised as tedious and/or the business itself as far from ideal:

“I *enjoy* my job. I mean, I’m at retirement age but I don’t want to retire because I like it...I’m not that keen on the company itself but I just think I do my job, I enjoy my job, I enjoy going to work, I enjoy the people I work with.” – Donna

“It goes quick because...you do your stuff, and you don’t have time to look at the clock all the time... It goes quick. Between the boils...sometimes you have a chat with the other guys. It goes quick. We have a laugh environment.” – David

Some of those with more autonomy over their working days and without intense time pressures (see previous themes), clearly derived considerable satisfaction from being able to do extra at work to help people:

“I’ll paint the wall, I’ll change anything...I get paid that whatever. I always do it with a smile on my face. I’m not, I’m not one of them people to be like, “I ain’t doing that, that’s not my job”. “I’m this, I’m that”, you know. I’m just a human being at the end of the day.” – Rex

“So, it’s really rewarding. If you’ve left a, a 91 year-old lady with a nice hot drink and her Lifeline [personal emergency alarm] round her neck and telly on, you know, the heating on and, you know, you’ve bought milk from the shop and she’s got a few meals that you’ve bought her as well, and you’ve made her bed and plumped up the pillows and – it makes you feel good.” – Sam

Crucially, examples from across the interviews indicated that community at work could help participants exercise various rights and insulate against some of the negative impacts of non-compliant or otherwise harmful treatment at work. For example, Maria described encouragement from nursing co-workers as vital in supporting access to breaks despite high-intensity work. Here, collegiality helped collectively and informally to resist wage theft via working through unpaid breaks:

“Sometimes it’s *very* difficult, like, to prioritise yourself when you have a lot of things to do but my colleagues before, like *really* encourage us to take our breaks, especially if it’s unpaid, yeah our breaks are unpaid, so they really do try to encourage us.” – Maria

Having community could also help participants process workplace abuse or harassment and mitigate negative impacts. For example, that was illustrated in Lynne's account of using dark humour among colleagues to cope with threats and abuse:

"It's mostly demented patients that say those words, or confused patients, because they don't know what they're saying, so that's, that's when we get the verbal abuse most of the time. So it's like, "I'm going to shoot you and then you're going to get buried"...Sometimes we just laugh about it: "What did he tell you?", "Oh, he told me that I'm going to be run over by a truck.", "Oh, that's not the worst thing, he told me this one."...Because if we're going to like internalise, we're going to bring sorrow, it's going to bring sorrow...We just laugh about it. We just get over it." – Lynne

Community could also help in the context of navigating apparent misconduct from more senior staff. For example, Maria told us about getting off a particular ward after being warned by colleagues that the senior nurse had a reputation for discrimination against foreign nurses: "interestingly it was, it was my British colleagues who were telling me about it as well".

Community could also help in resisting demands for unpaid extra hours. For example, Donna described pushing back together with her co-workers on an expectation they complete training outside of work unpaid, having initially tolerating that and then gotten fed up. Here, having that community enabled solidaric action to challenge unfair expectations informally but very directly (although she said she was still ending up doing them in break times, meaning some wage theft persisted):

"It's all like that this training that you do. So, it can, it can take two to three hours, but I've queried it and I said I'm not going to do it in me own time anymore, I will do it on work's premises. If they want me to do it, then I'll do it at work or else I won't do it... To be honest I weren't bothered at first, I was just doing it because I thought it's a new company let's get it done, you know, but now I think no frig 'em, this is *my time*, I've done their eight hours that I'm supposed to do so, no I'm not doing them. So, I've told my supervisor and to be honest our team are very close-knit, and we've all said if they want us to do them, we'll do them at work. So, that's what we've been doing, and we've been doing them on our breaks if I'm honest." – Donna

Showing how informal peer support could extend beyond in-person colleagues and into the virtual space, Spencer described benefitting from considerable community support via a Facebook forum for local clerks. She said the forum was particularly valuable in supporting people who, like her, were bullied by councillors:

"It's really good, because we can all be really open, as clerks, because we are all in the same boat and literally there are people on there that are like, "I can't afford to leave my job, but I feel like I'm at the end because of a bullying councillor". That's a regular occurrence on these forums, like reg-, like a couple a week of clerks shouting out to other clerks going, "I don't know what to do but I can't carry on"." – Spencer

Although co-workers could be an important support, they could also be the source of problems. Abuse, bullying or harassment from peers or seniors at work was less commonly discussed than abuse from patients, customers, etc., but seemed to be experienced as more detrimental (perhaps because of the breach of trust). The negative impacts of feeling mistreated and unsupported by managers and seniors was evident in many interviews and is discussed in detail in the next chapter. Harms from peers could also be experienced very negatively. For example, of all the issues she had encountered that we discussed (including verbal and physical abuse, and wage theft), Daisy told us she had been most bothered by sexist harassment from colleagues in a previous job in a recycling plant:

“I feel like the sexist jokes and all of that is the biggest thing because it does really get under my skin but then it does just make me more determined.” – Daisy

A few other participants also pointed towards toxic community norms at work, which could produce or exacerbate workplace harms and make them harder to challenge. These points are illustrated in the examples below from Jake’s experience on a building site and Hannah’s in a care home:

“You’re called *everything under the sun*. But is it in an endearing way? I don’t know. You know, you can be called a t**t, a d**k, anything, you know if you can think of it, anything. Erm. And in the sort of washing up bucket where before you – when you plaster you wash up all your equipment – another guy took a piss in this water bucket of mine and you know it’s just like, “Ha-ha, got you.” Yeah, so they would see it as banter and jokes but really if you do that it is, yeah, it’s a kind of *workplace bullying* in a way isn’t it?” – Jake

“So, the one I keep thinking back to is one of the care homes I worked at where we were all friends, so like the managers, the employees, we were *all friends*. It was very much like even if it was a toxic environment, we were all friendly. We didn’t want to leave that friendship group, so I think that made it a lot harder. But erm, I think if I was to like erm single myself out and address something it would have been, “Well why are you saying it and we’re not?” kind of thing. Gangs, kind of thing, then you would have felt like left out.” – Hannah

Spencer’s experience was an extreme case. She described over two years of bullying and harassment from a local councillor in her job as a local clerk. Apparently, this type of workplace bullying is extraordinarily difficult to address because councillors are elected volunteers and thus their conduct is not governed by normal workplace protections. Although the situation had since been resolved in her favour, the negative impacts on her health and wellbeing had been considerable and left lasting impacts, as illustrated below:

“It just became a, oh a constant battle, it was *awful*, it was literally one of the *worst*, worst times of my life.” – Spencer

At the other end of the spectrum, some participants were very isolated at work and had little to no community there. Individual preferences varied: some enjoyed working alone, others found it difficult. Most notably, three of the youngest participants described working or having worked entirely from home and finding it isolating and difficult, to varying degrees. Workers new to the labour market being so isolated is particularly concerning and may well impact on socialisation into work (and career progression, although that was not raised). Illustrating isolation, Af found it “quite draining” being “kind of stuck in the same room” in his remote call-handling jobs without in person support from colleagues and the social side to work, although he valued at least being able to connect with colleagues. In contrast, Cleo did online AI piecework from home and had never spoken to another

person at her company: hers was an even more extreme example of isolation at work. A lack of connection could also exacerbate the impacts of work-related stress and verbal abuse, as particularly illustrated in Sally's experiences in a previous call-handling job done fully remotely:

"I worked at a call centre and that gave me major anxiety and like panic attacks...So I was working from home and it was the unknown, so you could get a lovely caller or you could get a really nasty one, and it was the, you know, not knowing sort of thing....Because I worked from home as well, I didn't have the support of like my co-workers...So, yes, if I someone was really nasty, I was just in my bedroom, like." – Sally

Overall, for most participants community was a vital part of their overall working experience, be it through positive social interactions at work or, less commonly, the detrimental impacts of negative relations. Community appeared vital in finding psychosocial benefits in work and in challenging or processing non-compliant or otherwise harmful experiences. Those working in particularly isolated positions (from home, with no in-person interactions) described finding this lack of social contact and getting outside particularly challenging.

Awareness and confidence to challenge issues

The interviews clearly indicated that addressing violations of one's rights and other problematic treatment at work requires *confidence*, something that is often overlooked in a focus on *awareness* (i.e. objective knowledge of rights). In fact, the interviews showed that awareness and confidence may or may not go together, and confidence to challenge without knowledge of legal rights may sometimes be more powerful than knowledge without confidence. Confidence to challenge appeared related to various factors, including personality, age, sense of security, social norms in a workplace and perceptions of a particular breach. We also explore here the extent to which participants felt well-informed about their rights as workers, and find that, for some, increased knowledge of rights translated into greater ability to resist being treated unlawfully. We also consider access to and attitudes towards contracts as one potentially important source of information on rights.

The non-equivalence of confidence in challenging problems and knowledge of labour rights came through most clearly in Donna's interview, in which she described speaking up forthrightly across a variety of industries and contexts. When we asked her (like everyone) if she felt she knew enough about her legal rights as a worker, her immediate response was, "I don't know about legal but if I found out something's not right, I'll challenge it". As illustrated below, personality, especially confidence and assertiveness, appeared to be an important part of being willing and able to resist unlawful or otherwise problematic treatment at work:

"If I know summat's [something's] wrong, I'll *challenge it*. I'm not a person to sit there and let somebody else do it for me, nah, nah, nah, if I know summat's wrong, I'm there. You know, I don't take any s**t at work. I'm quite a confident person and if summat's wrong then I will challenge it. And if I don't agree with summat, I'll challenge it, you know, it can be one management, it can be top management, I'm not bothered, I still have my say. I might be wrong in challenging what they're saying and they'll most probably say, "No we've done it like this [Donna] because of", and I go, "Oh, oh right, oh I get ya", you know." – Donna

Crucially, knowledge without confidence could leave someone feeling unable to challenge issues in practice. For example, Maria described a tension around *knowing* she could refuse treatment to an abusive patient in a non-life-threatening situation but still not *feeling* confident enough (or “brave enough”, as she repeatedly put it) to act on that:

“It is difficult...So, my patient was like, he was shouting at me for like, I don’t know, it was longer than like five minutes, and someone had to knock on the door and then ask if I was okay. Yeah, I wasn’t brave enough to just, like, walk away and then yeah, I think I need to work on that but I’m aware, but yeah, I’m not brave enough yet.” – Maria

Generally, older participants appeared to be more confident in challenging issues at work that impacted on themselves and/or their co-workers, as also illustrated in Amber’s account below:

“We’ve had our moments, but I’m of an age that will no longer sit and take any rubbish off them [management]. So, I am, I will say things that need to be said, and I do say when they’ve treated my staff badly, I will equally stand up for them, because I can’t bear it when they’re unfair... probably 30, 40 years ago I wouldn’t have been quite so brazen.” – Amber

Younger participants often (with some notable exceptions) came across as both less confident in challenging issues and less aware of what their rights might be to do so. That is illustrated below in relation to Jake’s experience of verbal abuse and possible bullying from co-workers, and Hannah’s of age-related discrimination:

“They were like what were they 50-year-old men to little old, what was I, I was like 16 to 18 when I worked there. Erm yeah, you know, you don’t really know who you are at that point either. You’re quite young. Erm yeah, didn’t really challenge it, just sort of yeah mocked it.” – Jake

“We didn’t really think anything of it at the time. But I know myself now I’m older and I look back and I’m like, yeah, that was discrimination, but at the time you just don’t. You just think they’re telling you what to do because you’ve got to do it.” – Hannah

It seems that local norms could play a role too (relating also to the previous theme around community). Notably, Donna suggested that her willingness to speak up had increased her co-workers’ confidence to challenge issues too:

“Before they didn’t, they just sort of let it ride, but I think now they do...I think because they’ve seen me challenge, they *do challenge things*. Now if it’s not right, they’ll challenge it, which I’m real proud about because I think, “Yes – get in there”.” – Donna

We are not suggesting, however, that knowledge of rights is not useful. We asked everyone how much they felt they knew their rights as a worker, and if they would know where to go if they thought they were being breached. A surprisingly high proportion (around 3 in 5) said they thought they now felt reasonably informed, well-informed or would at least know where to go to find out if needed. That said, answers were frequently couched in language like “I think so” or a “I suppose”, suggesting some uncertainty in practice. Moreover, as Cleo said, “Obviously I don’t know what I don’t know”.

Among those who said they did *not* feel adequately informed at present, positions varied. For example, some said they had not really considered their rights, others that they knew some rights better now (e.g. after interactions with union representatives) but still weren’t fully confident. Rex was

an exception here in suggesting his employer had him covered on his key concerns, particularly safety and pay, and therefore that he probably did not need to know more himself (“Unless I need to enquire about them, I guess, you know, they’d look out for me in regard to that”). That said, not feeling the need to find out more about one’s rights was not limited to those who felt they were well treated at work, as illustrated in David and Scarlet’s quotes below (both of whom recognised certain treatment they’d experienced as unlawful):

“I don’t know enough...Yeah, I don’t really think about this, you know, my rights...I never even read the contract, or fully, you know, like. I sign, I don’t know.” – David

“Er no, probably not... Well, I didn’t realise until recently that you’re entitled to holiday pay, so I’d probably like to know the, the details of that. Erm, I dunno what else.” – Scarlet

One way that workers can learn their rights is via their contracts, if provided and understandable. Experiences and perceptions around contracts (and payslips too) varied, however, as illustrated below. Some participants described positive experiences, others had received these very late or not at all, and others had just not really processed the information in them (for various reasons). Importantly, if workers do not know to expect contracts and payslips, they may not even register their absence, as in Hannah’s experiences early in her career:

“I’ve *never* received any [contracts or payslips]. I’ve never had a payslip, and I’ve never had like anything I’ve had to sign...Yeah never. When I worked in the first care home it was literally the case of go in, introduce myself and you start tomorrow. And a couple of them were like that, actually...I never thought about it because I was never told that you’d need that. I just had no clue to be honest.” – Hannah

“I mean to be fair, the contract’s a load of jargon, there was loads of pages of just crap really but I’m not really interested unless I need to be interested in it, and all I’m interested in is what I get paid and what I’m doing, I don’t really pay much attention to on contractual agreements that I’ve, have or haven’t looked at.” – Rex

“Yes, that’s completely clear. Erm, contracts came in advance. I was able to read and understand. And any questions, if I had any, er I knew where to go. With the payslips, any deductions are clear.... So yeah, all good.” – Venus

Not knowing entitlements can also mean someone is less likely to recognise breaches of their rights as a worker, let alone see it as something that might feasibly be challenged. That was well illustrated in Lynne’s previous experience of wage theft through mandatory training done in unpaid hours outside work, something she said she would no longer “even accept”:

“But I wouldn’t even accept now, like. I wouldn’t go training without any pay. Before I did accept, so I do those things because I didn’t *know* that you get paid, can get paid while doing your training. So, I have no idea with that before, but now I know that you need to get paid to do the training.” – Lynne

Finding the confidence to challenge could be particularly tricky with smaller, more incremental violations where it “feels petty, doesn’t it?” (Jake). The fact that speaking up was seen to need “guts” (Jake) shows the awkwardness people can feel when standing up for their own rights at work, particularly if there is a culture or expectation of tolerating certain issues. Finally, it is worth recognising that being both well-informed and confident to speak up does not necessarily translate into resolution, as captured below:

“Yes, so we know what our rights are and we, we are very vocal on how to practice those rights, but to where it’s being acted on or being sorted is, I don’t know.” – Nicky

Overall, levels both of knowledge about rights *and* of confidence to challenge possible breaches appear to be important factors that intersect to mediate how workers experience and navigate unlawful and problematic treatment at work. In the next chapter, we pick up further on tensions around rights on paper versus rights in practice, exploring participants’ experiences of responding to violations of their rights and other work-based harms.

Conclusion

In this chapter, our aim was to improve understanding of how workers *experience* precarious work, labour market non-compliance and other work-based harms. To do so, we located their experiences specifically within a set of mediating factors that appeared to exacerbate or alleviate potential negative impacts: 1) household and family socio-economic position; 2) maternity and motherhood; 3) workplace resourcing, intensity and stress; 4) agency and autonomy; 5) community and isolation; and 6) awareness and confidence to challenge issues. In addition, but dealt with in the next chapter, workplace responses both to work-related issues and to attempts to challenge them also appeared to mediate experiences. **Labour market enforcement strategy would thus benefit from being sensitive not just to the prevalence of breaches, but also to the variations in experiences, perceptions and impacts on workers.** In the next chapter, we focus on how workers *respond* to labour market non-compliance and other work-based harms.

Chapter 10: Precarious workers' responses to labour market non-compliance and other work-based harms

Chapter summary

In this chapter, we explore how people respond to violations of their rights, potential violations and other harms at work. This analysis draws further from our in-depth interviews with 24 people in precarious work. We identify and introduce four main themes in terms of their responses to labour market non-compliance and other work-based harms: 1) tolerating; 2) getting advice; 3) complaining or otherwise challenging; and 4) leaving. We demonstrate that these are not mutually exclusive, one-off options; instead, they are part of a dynamic system, in which the different themes interact, and response pathways can adapt, evolve, and shift abruptly. Responses can change as new problematic issues compound prior ones, life circumstances change, and workplace reactions to past or ongoing issues influence workers' decisions and behaviours in relation to subsequent and compounding problems. Overall, our results indicate that people clearly put up with a lot of poor treatment at work, but that does not mean they should be expected to. We also demonstrate throughout the importance of management reactions to labour market non-compliance and other work-based harms, which can alleviate or exacerbate harms. We identify considerable variation within the four themes, showing there are many and varied ways of dealing with problems, pushing back, and asserting rights. Notably, very few of the responses recounted went beyond internal or informal challenge, and there was no mention of the State labour market enforcement bodies at all. Overall, this analysis strongly indicates that attempts to understand the scale and nature of breaches of workers' rights in the UK should not rely overly or exclusively on data from external and formal complaints. It also once again stresses the need to recognise the subjective side of lived experiences, differences in perceptions, attitudes and expectations, and the importance of context. People's overall circumstances vary, and with that both their tolerance thresholds as well as their opportunities and constraints for challenging poor treatment at work.

Introduction

In previous research nationally and internationally, workers' responses to breaches of their labour rights were shown to be relatively informal and internal, with only a small minority of workers lodging formal grievances with outside agencies. For example, in the US researchers found an estimated one complaint for every 130 violations (Weil & Pyles, 2005, p. 78). In the UK, Stansbury (2025: 209) calculated a probability of, at most, 1% to 3% that an underpaid worker will contact Acas. This figure was based on comparing the number of calls to Acas against the Low Pay Commission's estimate for the number of UK workers underpaid the minimum wage, since workers must contact Acas before proceeding to an Employment Tribunal or County Court. Moreover, SETA (Survey of Employment Tribunal Applications) data indicates that workers who lodge a formal, external complaint against an employer via the UK Employment Tribunal systems usually end up exiting that workplace:

“over nine in ten claimants (94 per cent of those who had originally worked for the employer) were no longer working for the same employer that they had brought the employment tribunal claim against. Of these claimants, 46 per cent said that they were dismissed, while 24 per cent resigned and 16 per cent were made redundant or laid off.” (BEIS, 2020: 7-8).

Analysis of wage-related complaints to the authorities in Ontario, Canada similarly showed that “only a small minority of complaints...consistently fewer than 1 in 10 each year, are filed by individuals who are on the job they are complaining about” (Vosko et al., 2017, p. 263). Using the mechanisms of the State to address unlawful treatment at work appears both in the UK and elsewhere to be something only a minority of workers pursue. Moreover, it seems to be an escalation that is often linked to being pushed out of or leaving the workplace.

Certain groups appear particularly reluctant to lodge formal complaints, such as migrants, temporary workers and the young (e.g. Campbell et al., 2019; Kallos, 2025; Vosko, 2025). Workers’ personal circumstances are likely to play a role not only in terms of how they experience breaches of their rights (see Chapter 9), but also in how they then navigate and respond to these violations. Reluctance to initiate a formal complaint can often be about fear of reprisal and job loss, something the above SETA data indicates may be well-founded (BEIS, 2020). That said, there is also clear evidence that workers faced with non-compliance often deploy various psychological ‘coping strategies’ (Zhang et al., 2019) rather than making formal and/or external complaints¹⁴⁶. Certain forms of poor treatment can be normalised or assessed by workers as worth tolerating, whereby context matters to understand workers’ perspectives and decision making (e.g. Campbell et al., 2019; Kallos, 2025).

Overall, the extent to which the UK’s labour market enforcement relies on individual workers enforcing their own rights through Employment Tribunals – particularly in the context of low and declining trade union membership – has been emphasised as problematic (e.g. Dickens, 2012; Pollert, 2005, 2007; Pósch et al., 2024). It is also vital to recognise the resource implications involved (e.g. knowledge of rights, emotional labour, time, access to legal advice, financial considerations etc) and how that further exacerbates existing power imbalances between worker and business (see, e.g., Bushby & McDermott, 2020).

In light of the extant research, the value of this chapter lies in the insights it provides into what precarious workers in the UK labour market *actually do* in response to a broad and diverse range of non-compliant and other harmful practices at work. It adds weight to prior calls to recognise that formal external complaints to Acas Employment Tribunals and labour inspectorates are just the tip of the iceberg (e.g. Cockbain et al., 2019; Stansbury, 2025).

To explore how precarious workers respond to labour market non-compliance and other work-based harms, we drew on reflexive thematic analysis of the qualitative data from our in-depth interviews with 24 people in precarious work. For details on the sampling and sample, please refer to Chapter 3 and Appendix E.

We identified four themes that together characterised the insights from our data about how participants responded: 1) tolerating it; 2) getting advice; 3) complaining or otherwise challenging; and 4) leaving. Together, they highlight a wide range of options available to workers when things go wrong at work, although even the term ‘option’ risks being a little misleading, as it implies a level of deliberation and decision that was not always evident. Thus, someone may *consciously* decide to put up with sub-standard conditions, or they may just accept them without really thinking about it or

¹⁴⁶ For readers with a legal background, a ‘formal complaint’ might be understood as initiating legal action. Here, we also use it more broadly to cover complaints to State enforcement bodies, and instances where workers register a complaint at work through official mechanisms (e.g. grievance processes, putting a complaint in writing etc).

actively deciding to do so. Before we introduce each theme, it is worth stressing some other broader points.

First, the aforementioned, themes are not mutually exclusive but rather can interact, as responses evolve over time or shift abruptly. For example, someone could first complain and then leave a non-compliant workplace or first seek advice and then put up with a problem (or vice versa). Figure 10.1 illustrates the non-linear relationship between these themes and potential for multiple feedback loops within the response system. A wide variety of intrinsic and extrinsic factors could trigger shifts in responses, including compounding problems at work, changes in external circumstances, or simply getting fed up. A breach may trigger an initial response that is then impacted by a further breach that is experienced, for example, as the ‘last straw’.

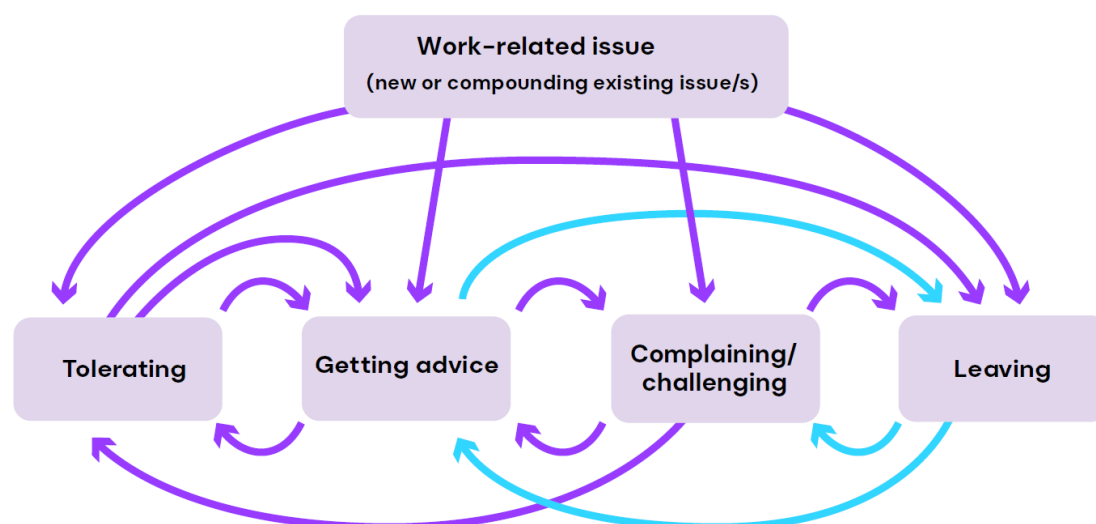
Second, these themes reflect the main responses cutting across a diverse set of participants and labour market exploitation issues. Together, they illustrate a breadth of available responses, and how they can interrelate. However, the four themes may not cover *all* possible top-level responses. The variety of responses that we illustrate within each theme should certainly not be taken as exhaustive. For example, whistleblowing can be seen as a distinct form of challenge, but it was not discussed by these participants. Similarly, if someone were to steal from work to offset financial loss due to wage theft that could also be seen as a form of challenge or informal resistance. That is not covered here either.

Third, if participants acted to try and find a resolution to a problem, they tended to do so internally. Relatively few of the participants had sought or received external assistance beyond informal sources such as family members. In their accounts, formal external assistance had come virtually exclusively from trade unions, and even that was fairly rare: only five participants mentioned receiving targeted support with a particular issue (or issues) from a trade union.

Fourth, it was striking that nobody mentioned at all any of the three labour market enforcement bodies within the former ODLME’s remit (or indeed other State regulators), which might reflect a lack of knowledge of them, and/or lack of perceived relevance. Only one participant mentioned Acas and there it was in the context of a family member’s problems at work rather than her own. Employment Tribunals also were only mentioned by one person, and there it was as something he saw as best avoided. In contrast, six participants mentioned the police as an avenue for dealing with work-related issues, particularly in relation to physical violence, threats and verbal abuse, including racist abuse. The sheer scarcity of mentions of State enforcement bodies strongly cautions against relying on official data to assess the scale and nature of violations of workers’ rights in the UK.

Finally, and as also stressed in Chapter 9, we do not and cannot make claims to generalisability: a qualitative design does not tell us how prevalent different responses or combinations of responses might be in the wider workforce. However, our initial plans to investigate access to justice within the Working Lives Survey had not worked out (Pósch et al, 2024). The questions had performed poorly in survey testing and been dropped, not least because of the complexities of real-world responses and difficulties capturing them in the time available (Pósch et al, 2024). A key strength of our qualitative approach here is that it instead enabled us to explore from the bottom-up and in depth the responses of a diverse set of participants, to a wide range of violations and harms, across a variety of industries and occupations.

Figure 10.1: Response options and pathways when faced with labour market non-compliance or other work-based harms



Legend: **Purple** arrows indicate pathways for which we had concrete examples in our dataset. **Blue** arrows indicate pathways which can happen but were not exemplified in the interviews (e.g. filling an Employment Tribunal claim only after leaving a role)

Responses to labour market non-compliance and other work-based harms

In this section, we present each of the four response-related themes in turn. We use pseudonymised direct quotations from the interviews to illustrate key points throughout the results. As with the previous chapter, some quotes are edited down for clarity and brevity, while remaining faithful to participants' own voices¹⁴⁷.

Tolerating it

A common response was to tolerate non-compliant and harmful treatment at work, and to carry on – or, as one participant put it, just “suck it up” (Amber). The interviews showed a wide range of reasons why this could be the case, including lack of confidence in challenging, lack of safety nets and alternatives, limited knowledge of rights, not knowing who to raise it with, normalisation of certain issues in certain contexts, and not believing there was any or much point in raising an issue. Not thinking something was *worth* raising could link both to how bothered a participant was by a given issue, and to whether they expected a challenge to be taken seriously, let alone dealt with adequately. Thus, having little faith in a positive outcome could deter challenge before it even happened, and that could be informed by a history of poor responses from management. Sometimes participants

¹⁴⁷ In line with convention, the symbol ‘...’ here indicates there was other text in between the bits quoted. In the text cited, we deliberately maintain dialect, filler words, original emphases, grammatical idiosyncrasies and occasional swear words (for which we needed to use asterisks, in line with the Government policy).

identified structural or organisational barriers to resolution, which could include factors such as under-funding or under-staffing, but also risks and harms perceived as inherent to a particular job. In the rest of this section, we provide illustrations of different ways of tolerating labour market non-compliance and other work-based harms, and reasons for doing so. To be clear, these are not mutually exclusive, as multiple such factors could apply.

For example, Amber's account reflected a lack of worker voice, and how workers can feel "powerless" to contest poor conditions when they have little or no safety net or alternative. She described how much of the largely minimum-wage workforce in a major hospitality chain where she worked had little choice but to put up with poor working conditions, including unreasonable targets, low wages, wage theft via unpaid extra work, and a lack of rest breaks:

"They [her colleagues] do suck it up, but because they're powerless to change that, and they need the work, they need the job. Erm, I think it does affect them, because they, the vast majority of people want to do a good job... and it upsets them if they can't get it done to the standard they want erm because they don't have the time...And that does affect people I think, quite a bit, that coupled with the low income." – Amber

Discussions with Scarlet about her job in a bar/cafe reflected how tolerance could also arise when a worker was not only less bothered by a breach of their but also saw no immediate alternative to just putting up with it. In this instance, that involved not getting her legal entitlements to rest breaks, and accepting that in part because of insufficient staffing to cover for breaks:

"It was more suck it up and deal with it, because there wouldn't be anyone else to cover, so it was kind of like you can't stop serving people." – Scarlet

Here it was also salient that her and her co-workers' requests to have a security guard for their safety on night shifts (due to intoxicated and difficult clientele) had also been disregarded by management as too expensive. That had contributed to a broader sense of feeling that workers' concerns were unlikely to be acted on, thus discouraging further challenge.

When harms are enshrined in a way of working (for example high pressure, intensity and target-driven work), it could be hard to know how to challenge the negative consequences, and with whom. That is illustrated in Tania's explanation of how difficult it was to know where to seek help about being stressed and overloaded in a previous job as a call-handler. Here a key point is that she would discuss issues with colleagues, but not escalate them:

"Yeah, it was quite difficult to know who to go because...the supervisors and management they were just quite focused on the stats, getting the call volume down, etc. And like it was all about targets as well, like hitting targets, daily targets. Erm so yeah, in that aspect it was quite difficult. I'd erm, I'd speak to colleagues but not like higher up management or anything like that." – Tania

Participants across several different industries described seeing certain problematic treatment as par for the course: staying in a certain job thus effectively required some level of tolerance. This tension was particularly acute in the context of dealing with verbal abuse, harassment and physical violence from patients or care home residents, as illustrated below. Similar points applied however in other contexts, for example in retail or hospitality.

“Nursing is caring and then these sorts of things that we have to deal with, like sometimes...we have to be in close proximity with our patients...there is really not much we can do.” – Maria

“I mean I work in a care home, so, you know, it’s, it’s a difficult one because obviously we work with dementia patients and erm a few of them are racists. And it’s a different generation, so there have been quite a few comments to me or to other members of staff, you know. But it’s, I mean it’s sensitive, isn’t it, because, you know, it’s dementia.” – Sally

Financial harms also appeared to be normalised in various contexts, particularly unpaid extra hours. Thus, various participants spoke of unpaid preparation or training hours as something that was just “an *accepted* part of the job” (Robert) or “just one of those things that you need to do” (Maria). If no alternative is imaginable or seems feasible, tolerating something can be a rational reaction, particularly if not doing so means missing required trainings or going unprepared to work, for example. In the haulage industry, William said unpaid waiting time was standard practice but could “rack up” as several hours at a time. As he was self-employed, NMW did not apply and he was paid by the tonnage rather than time, making it hard to get any redress for this lost time. He told us he had frequently challenged the unpaid waiting times by raising it with his work provider, but to no avail, and thus now saw himself as having little choice but to tolerate it (or “take [it] on the chin”):

“Yeah, you just write that off. I mean, it’s just, you try and absorb it within the cost of what you’re going to get for that load, particular load, if you like. It happens quite a lot obviously for us in flour mills, we can get to flour mills then you might have a four-hour delay because there’s that many vehicles there waiting to unload, erm, or they’ve broken down. Again, in our industry, waiting time you don’t really get, they’re not interested in paying, even though I’ve asked 50 million times...Erm, yeah, so it’s just a fee you take on the chin I guess really. I would say it works; it still works somehow, you don’t know how at times, but it does.” – William

In addition, fully unpaid labour was raised once in the context of unpaid internships (widely lawful¹⁴⁸ but arguably inherently exploitative). Here, tolerance could be more of an active decision based on anticipated costs and benefits, as illustrated by Scarlet’s experience below:

“It’s a bit annoying, but I think...like currently, that’s the only way you really get jobs is from experience, so if I can get the experience from it then I’m hoping it will help me get a job further along the line.” – Scarlet

¹⁴⁸ Unpaid internships are increasingly controversial, not least in terms of the exclusionary dynamics they can perpetuate (see Chapter 2). Alongside some exclusions whereby it is legal not to pay interns NMW (e.g. students on required work-placements), the question of legality generally rests on technicalities around employment status. If an intern is classed as an employee or ‘limb (b)’ worker, they are entitled to NMW – although it seems questionable that unpaid interns would routinely be well-placed to recognise and contest misclassification). See: <https://www.gov.uk/employment-rights-for-interns>

Tolerance of non-compliance could shift with changes in life circumstances, knowledge of rights, confidence to challenge, and other factors (see also Chapter 9 for more on their mediating effects). For example, Lynne told us about how she had previously “just let it go” that she was working extra hours on training for free, but that her position changed after finding out her rights, and because having two young children now “makes it impossible” to go to training outside of working hours. Showing how experience and maturity can be a factor too, Hannah described experiencing age-related discrimination from her managers as a young care worker. She explained how her perspective on the issue had changed over time. Back then, she said, it just did not occur to her and her similarly aged colleagues to try to challenge it:

“We probably could have but we never did. We could have probably talked to the managers or just stood up for ourselves, but we just never did.” – Hannah

Being demoralised and feeling that speaking up will not make any difference could also encourage workers to tolerate problems. Managerial reputation matters here too. For example, when we asked Mundy if he or colleagues could talk to their managers about the abusive treatment from customers, his answer pointed to a lack of confidence in them finding a resolution. In part, that seemed to tie with management not taking seriously their workers’ attempts to challenge other issues (particularly around the heat at work).

“I don’t think she’s told them. They’re not going to do anything anyway... They just don’t do much. Like, I don’t even know what they would do anyway, if they did do anything.” – Mundy

Relatedly, seeing challenge as too much bother and, in any case, unlikely to result in decent outcomes could promote putting up with breaches instead. For example, Scarlet opted to tolerate wage theft through the holiday pay she had been denied over many years (“I kind of just left it”) after her initial attempt at challenge indicated positive resolution was unlikely:

“Well, I kind of found out too late, so I was leaving anyway, and ‘cos they were changing over ownership, it was kind of like the old owner said, “Oh well, I’m leaving now, so erm I’m not involved in the business anymore”. And I kind of just left it, erm, I didn’t really push much. But yeah, I probably was entitled to quite a bit, I imagine.” – Scarlet

In a similar vein, Jake described regularly working unpaid extra time after shifts in ad hoc promotions work in the gig economy. He said the unpaid extra labour stacked up gradually but felt difficult and “more hassle than it was worth” to challenge (particularly since the umbrella company who handled payments was difficult to deal with and making mistakes on his payslip anyway). Consequently, he let it slide:

“But then it was only said to be like ooh 20 more minutes but then it would also be, it would grow to like half an hour or a bit longer...Do you ever really think about billing this? It’s hard to sort of add up because then you’d have to tell them then it would be at the end of the month they would pay you. And then they’re getting it wrong anyway and then that would go through the umbrella company. And yeah, I just thought it was more hassle than it was worth.” – Jake

Two employees told us about needing to buy resources for work and ending up out of pocket. For them, the dynamics around tolerating this form of wage theft linked to putting up with cumulative losses, as it was fairly small amounts each time. For Jake, it felt “petty” to challenge and for Sally, the formal process for approval and payment was so slow and cumbersome it seemed easier to just pay herself:

“Because it was just small bits here and there, yeah. And it’s not until you think about it that it builds up... should I be adding up resources as well? Don’t know. It feels petty, doesn’t it? ‘Cos it’s so small an amount. It feels like it’s a silly thing to be saying, “I bought glues last week.” And if you keep doing it, then it does add up. Erm so, yeah, it’s hard.” – Jake

“It’s just it’s *such a process*... we have a small budget that we can ask, but it’s a case of: you have to ask the receptionist, and then the receptionist has to contact Head Office, and Head Office have to approve it. And so, and then you have to get the receipt, and then you have to use a particular card, and it just takes weeks like to just get like table decorations sometimes. So, you just think, I might as well go to Poundland and buy them myself. It’s just like a long process.” – Sally

Robert’s account of the music industry (particularly in the past, but still today) highlights incentives to put up with extremely low pay rates. Here, he described the cumulative impacts of multiple challenges: NMW not applying in freelance work (i.e. as self-employed), a highly precarious and competitive industry, commitment to the vocation being taken advantage of, and power imbalances between workers and budget-holders. Particularly at an early career stage, he said the choice for workers was very much to “take it or leave it” when faced with sub-NMW offers:

“Take it or leave it, you know. You either do or you don’t. And then the problem is you, in the back of your mind you’re thinking if I say no to this, who are they going to talk to?” – Robert

Also related to pay rates, Hannah described potential NMW breaches¹⁴⁹ while working in domiciliary care. She explained that despite being out at work all day, she was paid only for contact time: at a rate of around £40-50 a day. Her example speaks to contested questions around what counts as working time, problems with unpaid travel time between jobs (an issue found elsewhere to be widespread in homecare)¹⁵⁰, power differentials in the labour market, and how some workers can be particularly constrained in ways that incentivises tolerating poor conditions, however reluctantly. In this case, it was her migrant worker colleagues who apparently felt they had no choice but to “take anything”, because their accommodation was also linked to their boss:

“We literally had to write like 9:14 to 9:37 and we’d get paid for the *minutes*. It was so *strange*. It made no sense...I’d get paid like £40 or £50 a day. I’d be out *all day long*. It just wasn’t worth it – at all. She’d employ a lot of people that erm weren’t like British citizens, they’d come here to find work. And erm I think that’s where she felt like she could do that because they’d take anything and anything – everything. Yeah, it wasn’t fair at all.” – Hannah

¹⁴⁹ She mentions employment which indicates that NMW would apply, but it is unclear what hers and her colleagues’ formal employment status was, and thus if NMW would have applied by law (for which they would need to be either employees or ‘limb b’ workers).

¹⁵⁰ See, e.g., <https://www.unison.org.uk/news/2023/06/majority-of-homecare-staff-are-unpaid-for-travel-between-visits-says-unison/>

Overall, the interviews indicated that it was common for participants to tolerate various forms of labour market non-compliance and other work-based harms, across current and previous jobs. Sometimes the impacts could be perceived as relatively small in isolation but could accumulate, and sometimes they could be just part of a wider set of problematic practices. There were numerous and diverse reasons why people tolerated unlawful, potentially unlawful, or otherwise harmful practices at work. Much appeared to depend on individual life circumstances, perceptions, attitudes and perceived or actual alternatives to tolerating such issues.

Getting advice

Getting advice could mean actively seeking it out or simply receiving it, within or outside an organisation. Getting advice featured in various discussions as an important interim step in helping determine how participants eventually responded to an issue, or issues, at work. Sources of advice mentioned included peers at work, managers or supervisors, others in a position of authority, friends, family members, trade unions, and virtual networks, such as Facebook groups. Sometimes getting advice then triggered action such as complaining or otherwise challenging unlawful or otherwise harmful treatment, and sometimes participants received advice and then proceeded to tolerate the issue.

For example, Lynne said she'd learnt spontaneously about her right to be paid for training after a senior colleague "shared on WhatsApp or email...about you can do training hours that you get paid". Robert said that he was initially putting up with racist discrimination from pupils at school without complaint, but on the advice of friends and colleagues he raised it with management (although he found their subsequent response deeply disappointing):

"My initial response would be to deal with it myself, and then I'll talk to a friend or colleague, and they said, "You can't have that, it's not acceptable, you've got to take something further. What if it wasn't you, what if it was somebody else more vulnerable or whatever"." – Robert

Parents featured as a source of advice for several younger participants. For example, it was after consulting with her mum that Daisy challenged underpayment for overtime she'd worked in a recycling unit:

"I sort of, like, spoke through it with my mum and worked out the hours and we sort of had a rough idea and then when I took it further it, sort of, like, worked out that I was, was right." – Daisy

Two people said discussing such a work-related issue with their parents had led to their parents stepping in to challenge it on their behalf. That applied to Mundy's experience of being underpaid on NMW after turning 18 (at which point a new rate applies), and Sally's experiences with what sounded like sexual harassment:

"They did once when I turned 18, they paid me incorrectly for one month and refused to sort it at first...when I was like 17, the minimum wage was, what, £5-something for a 17-year-old. They were paying me £7 for an hour, which was nice. Then I turned 18, they didn't pay me correct. My mum was still talking to them [his bosses] at that point for some reason, so she told them about it, and they told her like, "Oh we've been paying him over the minimum wage last time." But she said, "That don't matter." So, then she just told them to get their s**t sorted, and then they paid me correctly after." – Mundy

“But that was when I was like 16, 17, you know, like my first job. And, you know, I worked at a restaurant, and the chef unfortunately was a little bit inappropriate, erm so my dad just went in, and my dad’s a Jamaican man, you know, he comes across a certain way. So yeah, that sorted that problem.” – Sally

Virtual networks featured occasionally as an important source of advice. Spencer characterised being a local government clerk as a “very lonely, under supported job to be in”. However, she described seeking and benefitting from advice from other clerks nationally, whom she connected with via specialist Facebook forums:

“I joined a lot of clerking forums on Facebook...you have to prove you are a clerk to be able to join it. Erm and I got so much support from them...they were all amazing, they had all been in the job like twenty-odd years and they’ve all left because of bullying councillors.” – Spencer

Relatedly, when we asked Maria about whether she’d come across agencies charging overseas workers high fees for UK jobs, she pointed to advice-seeking and sharing behaviours that she’d observed in a Facebook group for Filipino nurses in the UK:

“That is not something that I experienced firsthand...I think we have a good support community, like we, we are very active, like we have our own [name of Facebook group] and then people will, will sometimes post their-, like, “This agency is telling me, asking me for money” and then people will just say, “No, that’s not legal.”.” – Maria

Getting advice could also mean consulting with one’s trade union as a precursor to possible further action, or after challenging something internally and being unsatisfied with the response. For example, Jake said he’d involved his trade union representative when facing “a kind of soft sacking” after having struggled with insufficient support to do his job in a previous school, which resulted in a better outcome for him when he then formally challenged this treatment with trade union support. Meanwhile, Donna gave a variety of examples of where she and colleagues had sought trade union advice in her current and previous roles, related to cuts to holiday allowance, unhygienic PPE (personal protective equipment), and pay disparity between male and female workers. At the time of the interview, she said she was gearing up to consult the trade union over pay rates as she was frustrated night cleaners were no longer being paid a premium over the day rate:

“I do believe when you work nights you should be paid a *night rate*...and I *am* going to challenge it. I’ll get my union in on that.” – Donna

Some participants sought trade union advice and in doing so learnt about limits to what challenge might be viable. For example, Nicky described her longstanding concerns about nurses being redeployed to units with shortages without due regard for their training, capability, or safety. Through consulting with the trade union, she and colleagues were advised there was little legal basis for challenge. While she remained troubled, this issue was now something she felt she had little choice but to tolerate:

“So, it’s like a waiting game until something goes wrong basically...there’s, yeah, not a strong case on it that they can fight on and for this rule to be evoked or for this action to be stopped, which is quite sad...like it affects the staff emotionally or mentally but how do you measure that, basically?” – Nicky

Similarly, Spencer explained that she'd sought trade union advice about bullying, but again options for legal challenge turned out to be very limited given councillors' elected volunteer status:

"The union was great, it's the *legislation*. It's alright having a great union that you can talk to but until the legislation changes, we've, we've got no hope if I'm honest." – Spencer

Not everyone told us about getting advice and those who did generally described seeking advice for some issues but not others, showing the role of individual discretion and specific context too. Overall, however, there was clear evidence of people getting advice in a variety of ways for a variety of issues. Sometimes that was through more formal routes (e.g. five of the 24 participants told us about seeking advice via a trade union) but often it was much more informally. Overall, getting advice came across as an important interim step in many situations, whereby the advice received could influence subsequent decisions about whether and how to challenge or tolerate a problem.

Complaining or otherwise challenging

It was fairly common for participants to complain or otherwise challenge work-related breaches of their rights, potential breaches, and other harms. 'Complain' is not meant here in a pejorative way, but simply actively speaking out against an illegal or unjust situation. Challenges took many and varied forms, including recording an incident through regular channels, suggesting some improvements to conditions (including via worker surveys), pushing back on problematic demands, contesting working conditions, formal complaints, reporting an issue to a superior, and attempts at resolution via more informal, creative challenge (e.g. finding workarounds). If an issue was resolved to a participant's satisfaction, there seemed to be little need to escalate. If not, they faced decisions about whether to put up with it or escalate it, for example by seeking trade union advice or making a formal complaint. Participants' willingness to challenge appeared related to several factors, including confidence, knowledge, subjective assessment of an issue (i.e. how bothered they were), and expectations in terms of risks and resolution (see also Chapter 9 regarding the mediating effects of confidence and awareness).

Participants' challenges met a variety of different reactions. The ways they described managerial responses underlines how important these are in giving workers a sense of justice or injustice and being valued or not at work. There are parallels here with concepts of procedural justice for victims of crime.

Despite some positive responses (discussed shortly), the most commonly described managerial or workplace reactions to challenge involved excuses, inaction and a lack of meaningful resolution. Poor responses of this nature came up in the context of diverse forms of unlawful, potentially unlawful, or otherwise harmful treatment of workers. Sometimes poor responses also involved dismissive or otherwise cold attitudes, which led to participants feeling especially devalued and disposable. At the extreme end of the scale, Hannah told us about being assaulted at work by a care home resident with dementia, needing to attend hospital and her manager instructing her to lie to cover up it being a work-related injury. As illustrated below, she raised the assault with her manager (a softer form of challenge), received a very poor response and then rather than challenge further she just put up with it. By the time she felt troubled not to have taken any further action, she had already left the company:

"There was a man, and he had dementia, he was quite old. And he was really big, and he did get a little bit violent sometimes. But once I went in to wake him up and I was like, "Good morning [name]", and he goes, "F**k off" and he just like whacked me in the face. And I had a *massive* black eye. I've gone to my manager, gone back downstairs and my face is like *all*

swollen and she's like, "Go home". I told her I'm going to A&E, and she rang me, and she said, "Just don't tell them it happened at work because we'll have loads of forms to fill in and whatever". And I didn't, like, really stupidly, I didn't tell them it happened at work. I was like, "I've just fell over, and I've hurt myself"...Me and my mum were talking about that the other day, actually. She was like, "You really should have said something", but I just never did because I was told not to...At the time I was okay with it. But looking back, even a couple of months after I left the place, I was like, I really should have said something, but it was too late. Too little too late." – Hannah

This example is a clear illustration of the interactions between different response options (as shown at the start of the chapter in Figure 10.1). Lags between issues occurring and workers coming to recognise them as problematic and/or unlawful are also noteworthy in the context of fixed and often short time limits on taking issues to the Employment Tribunal (with complicated exceptions around extensions based on what was 'reasonably practicable' or is 'just and equitable')¹⁵¹. In any case, however, going to Employment Tribunals was not something anyone in our sample described considering doing, let alone actually pursuing.

While Hannah's case above was an extreme example in how obviously problematic (and potentially in breach of regulations¹⁵²) the management response was, there were also many other examples of dismissive treatment and inaction that speak to a much wider problem with poor responses to workers' challenges. Sometimes such challenge could simply be asserting a right to time off for a medical emergency and being pressured to work regardless. Feeling disposable in the face of work-based harms came up in various other interviews too. For example, Robert told us about how "absolutely sickened" and "completely powerless" he felt by school management not standing up to parents and pupils who racially discriminated against him (around the early 2010s). The management's poor response had clearly exacerbated the harm from the discrimination itself and had left a lasting mark. For example, he was especially troubled by management having taken the path of least resistance and moved a child or children out of his class after the parents complained about Robert (the teacher) not being white:

"Now, that to me is complicit...if the school do that because a parent is racist, is complaining. To me if I'd been management, I'd have asked them to remove their child from the school. I wouldn't have just moved them out of my class." (Robert)

Nicky described her frustrations about how she and colleagues had come together to raise serious concerns with senior management (related to nurses being sent to units where they feel insufficiently trained to do their job safely and well). The thing that most stuck with her, she said, was the response

¹⁵¹ This is a highly technical area of law. The time limit to lodge a claim in the Employment Tribunal is normally three months from the relevant event (e.g. dismissal or wage deduction). That is unless, to use the statutory language, it was 'not reasonably practicable' to make the application within three months, in which case the claim can be made in a further period the Tribunal considers reasonable. There is also a separate formula of 'just and equitable' extensions to time limits for certain rights, such as discrimination. The standards are different for both, but previously Tribunals have said that ignorance and confusion around rights can apply as grounds for possible extension under both these formulations, although the ignorance and confusion must be 'reasonable' (here, access to immense volumes of information online could be a complicating factor).

¹⁵² The management action described indicates a possible breach of The Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013. It is unclear whether Hannah's injury would have met the necessary threshold to trigger recording and reporting obligations.

from one of the seniors of “let them leave, we can always find another one”. This lack of care and compassion, and demonstration of seeing workers as disposable really exacerbated the harms here for her:

“And the response that we get from the discussion was, “*Let them leave*, we can always find another one.” So that still rings in my head, ‘cos we tried to help and get the support, and this was what we got, this was the response we got from the discussion... but yeah, in all honesty that was the response we got from one of the heads. “Let them leave, we can also get another one, there’s not enough, not enough jobs around NHS at the moment.” So, and there’s also new staff who heard this response and you don’t want to ask really how it made them feel.” – Nicky

There were also examples of managers making excuses for outright breaches of the law when challenged, as illustrated in the quotes below. That included Mundy’s bosses’ reaction to being challenged on underpaying NMW after he turned 18, acting as if having previously paid him above NMW for his age bracket somehow justified the subsequent underpayment. It also included Scarlet’s boss claiming it was “just complicated” to provide payslips, meaning she had to challenge repeatedly by asking for one every time she wanted one.

“We’d only get them if we asked for them, and I wasn’t very good at actually asking for them...The owner said, it was just complicated for him to get everyone’s payslips sent constantly, erm so yeah, I kind of just accepted that’s the way it worked.” – Scarlet

“So, just in general, these two [manager-owners] are very rude, him and his wife. They’re rude to all of us though so that’s nothing new. And his wife was the one my mum was talking to about pay when I turned 18, and she was just saying that crap about, “Oh well, we paid him over the minimum wage before,” and all of that.” – Mundy

In addition, several participants told us about having to chase bosses to get paid on time and/or correctly, whereby poor management created additional burdens on workers to try get their legal entitlements.

Another form of inaction was illustrated by Maria and Lynne in the context of physical violence at work, something that was relatively rare in our sample but understandably left a strong impression on most of those affected. It was therefore often discussed in some detail. Lynne talked about herself and colleagues being punched in the face, and Maria about the same happening to a colleague. All these parties were effectively expected to carry on working and not sent home, and in Lynne’s case she said the police were called but repeatedly stressed that her manager did not even ask her if she was OK, a neglect of duty of care that had clearly affected her deeply. Both talked about the experiences as affecting the mental health of those assaulted. These incidents spoke further to the feeling of disposability that this sort of passive response can generate, as illustrated below:

“I wasn’t supported at that time because they could have – because all three of us have been punched in the face, like all three staffs, so. But it’s not feasible to let us go home. Like, I really wanted to go home at that stage. I wasn’t supported, like saying “Oh you need to go home”, you know. But I was still, I was like still in disbelief giving medications to patients, but I just talked to the patients to get, like to *process* everything because to be punched in the face so hard, like am I going to collapse or am I having a contusion because it was so, it was so hard. And then they didn’t, I think it depends on really on who’s, whose there...the nurse in charge didn’t really like, “Oh you need to go home” or “Do you want to go to A&E?”. Even like asking,

“How are you?”, I didn’t get that support, like “How are you?”. It was the police that contacted me and said, “Oh do you need any support?”. Not in the work ward, who didn’t even like, the work didn’t even do a follow-up on us, like, “Oh how are you after this incident?”. There was no like support in that stage even after.” – Lynne

In general, certain responses often appeared to put participants off challenging unlawful, potentially unlawful or otherwise harmful treatment at work. One was when they had raised issues in the past themselves and these issues (similar or different) had been handled poorly. Another was when they were aware that their colleagues had previously raised issues and no improvements had happened. Part of the problem here came down to an apparent lack of willingness among managers, employers or other bosses to improve conditions, which was often seen as financially related.

Relatively few people who challenged non-compliance or other work-based harms described workplace reactions and resolution as satisfactory. Rex was anomalous here in being extremely positive about how his workplace dealt with hazards. He told us about working in unpredictable conditions as a plumber and being exposed to risks from contaminants, structures or tenants (including having had a knife pulled on him). However, he said he could call in any safety concerns to the office, knowing they would look out for him and find a resolution. That appeared important in mediating how he experienced these harms:

“They’re big on safety as well and if anything, I’ve got any concerns, they will a *hundred per cent back me* without a doubt. – Rex

While few were as overwhelmingly positive about how their challenges were dealt with as Rex was, there were other examples of workplace reactions seen as positive. For example, despite raising her frustrations around difficulties challenging protracted bullying, Spencer was very positive about how the Council supported her with threats or abuse from residents. Here too, feeling supported mattered:

“But again, the support of the Council for me to be able to say, “Look this has happened again” and they were like, “You need to phone the police”. I said, “I’m not phoning the police, they’ve got enough to deal with, the police”. They were like, “No you’ve done the right thing, please tell me you shut the door in his face?”. “Yes, I did”. “Brilliant” – I’ve got their support.” – Spencer

Daisy told us about reporting sexist discrimination from her colleagues in a recycling plant to a manager. This discrimination (and possible harassment) had bothered her, she said, more than any other issues she’d experienced at work, including verbal abuse and physical violence from care home residents. It seemed to have helped, however, that her complaint was listened to and acted on promptly: “that was all handled accordingly, and it did get stopped.”

Donna worked on an outsourced cleaning team in a factory and told us about bypassing her own manager to go straight to the main company’s Health and Safety officer with concerns about inadequate PPE, as illustrated below. She described the response as “really good” and said her concerns were taken seriously and acted on quickly:

“Because of the epoxy and the dust erm and we only used to have erm dust masks which was not suffice [sufficient] at all. So, again, [Donna] and her big mouth went to the Health and Safety and said, “We shouldn’t be doing this.” And obviously...we was right because we were then fitted with masks...and we weren’t allowed to do certain areas because of the dust whereas before we was told we had to but once the health and safety had come in and said, “No you don’t, you don’t do that, you don’t do that”, which was a bonus.” – Donna

Sometimes challenge could take softer forms, for example simply telling a manager, supervisor, or other colleague with responsibility, about an incident. It is important to recognise all these forms of challenge as such, rather than thinking only in terms of formal complaint (which was more of a last resort, and an avenue few took). For example, Maria told us about racial discrimination from a patient, describing how the impact on her was mitigated by her senior nurse's robust response that made her feel cared about and defended. Speaking to broader issues in challenging racist abuse, it is notable in the quote below that she said she felt more comfortable approaching a fellow migrant worker and felt the positive reaction she got was unlikely to be standard ("I was lucky"). This point (echoed elsewhere too) suggests that how workers' challenges are handled is not just a question of industrial or organisational norms and standards, but also dependent on the particular line manager or other responsible colleague involved:

"Like, where a patient was particularly not happy because I wasn't white...I went to the sister in the ward, she probably because she was Irish, but I went to her and I told her that, "Oh she, she doesn't want me". So, she went to the patient herself and then she told her, "*This is a nurse, she's a nurse like everybody else,*" like she defended me right then and then. I was, I was, probably I was, like, in my third month here in the UK and then being, I think the attitude of the patient, like that took [impacted] me, but then when I got the support from my senior and nurse was, yeah it was, it was good, it did not make me feel anything less¹⁵³...it was still a bad experience...but it was good in a way that how my senior reacted to it. Which probably other people won't, yeah, but I was lucky." – Maria

Also related to racial abuse and discrimination, Maria talked about another incident that occurred around the "emotionally intense" time of the Southport riots in 2024. As illustrated below, she had reported an incident, as usual with low expectations of any real response. Despite the Trust's widespread claims not to tolerate abuse, previously she'd seen no action taken. It appeared to have both surprised and made a real difference to her that for the first time in her experience, her Trust actually followed up, here with a personal letter to the abusive patient:

"Previously when I was working in the ward, like, we had like really abusive patients but you report it and then they come here, like the higher, the managers come and talk to us and then ask how we're doing but nothing gets done, like the patient is still there and no one talks to the patient that what you're doing is wrong." – Maria

Challenging a harm and being taken seriously of course does not mean participants cannot still be impacted negatively – by the incident itself and/or the process of challenging it. A notable example here was Robert's account of complaining to his principal (while he was a music student in higher education) about sexual harassment from two patrons who offered to fund part of his studies and then made it clear they expected sex in return. Thankfully, he was able to get out safely, but the traumatic experience proved traumatic. He then complained to his principal, who had made the initial introductions. While how the principal handled it behind the scenes remains unclear, Robert said the principal was "horrified" and did *something*, as his harassers agreed to pay his funding, effectively in return for silence: "I got my funding but because of, (*stage whisper*) "Keep this between us, old boy. We know what they're like."." Nevertheless, not only was he impacted by this "pretty bloody awful" event, but also by concerns post-complaint about potential recriminations in terms of blocked career

¹⁵³ Elsewhere she was more explicit on what she meant by less, referring to it in terms of the incident "did not affect my self-esteem or my, or the way how I see British people because, because I got a good experience out from it in a way".

opportunities. The quote below speaks to his concern about being seen as a troublemaker for speaking up, particularly in a tight-knit industry like music:

“Maybe I’ve caused trouble. I remember thinking that when I complained, maybe I’ll cause trouble. It did have an effect, definitely.... I was constantly worried about it, constantly. I was also terrified I was going to see one of those people at an event or something or on a judging panel or an audition panel. You had to audition for things. They were going to appear there, now I’m screwed. But I did get my funding so they kind of knew they’d done wrong.” – Robert

Venus’ discussion of him and his colleagues facing racist abuse while working in retail banking speaks also to the emotional and psychological cost challenging can have on workers. He explained that workers were able to report verbal and physical abuse to police and were provided with body-worn cameras to enable that. However, that meant they faced a trade-off between walking away (i.e. effectively putting up with it) or staying to record to allow a formal complaint, but thereby having increased exposure and risk of escalation:

“I believe it became more common, more prevalent during COVID and afterwards. People started behaving differently... people would come up to you and say horrible things in your face, where we would get police involved, we started having to wear body cams in the bank. Erm, so it, it was really bad because that was the only way we could record, which means that you have to *stand there*, listen to it to get it recorded, so that you can get the person prosecuted. So, people had a choice to walk away and not record it rather than take the abuse erm or violence on some occasions.” – Venus

As indicated above, sometimes challenge involved activating more formal channels and bringing in outside support via a trade union, or escalation to the police. Another example was how Donna described her colleagues collectively organising with trade union support to challenge longstanding pay discrepancies between male and female workers:

“And when we was with social services, we brought the union in for the pay because the men was getting more than the women but the women was doing more work than the men...basically that was ‘cos...we did personal care on both male and female whereas the males only did personal care on the males. So, the union was brought in ...and the pay was adjusted correctly.” – Donna

Finally, a few interviews showed a way of dealing with non-compliance or other harms that showed how challenge could incorporate more informal, creative forms of resistance: effectively changing one’s behaviour to no longer tolerate something or actively organising with colleagues to do so collectively. Examples included pushing back on expectations of unpaid extra hours by actively refusing to do them any longer, for example Spencer disengaging from previous expectations to be reachable around the clock, or Lynne largely no longer tolerating doing mandatory training outside of paid working hours. Of course, people’s ability to push back in this way may vary. A particularly noticeable form of this sort of creative challenge came from Spencer, who told us how she and her colleagues in the building society were “*absolutely sick*” of being expected by their manager to be there additional hours unpaid before opening and after closing. It was compromising their time with their families, she said, and verbal challenge about the unpaid hours made no difference to the manager’s stance (“*It was her branch and it was her way*”). Consequently, they worked together towards an informal workaround, finding a way when the manager was not there to shut the branch more efficiently and thus slash the unpaid extra time at the end of the day. We include this example

not to suggest that workers should be *expected* to seek informal resolution in this way, but simply to highlight that challenge can take different and unexpected forms:

“We did it a few times and she would be like, “So what time did you get out last night?”, and it was like, “Quarter past five”. She was like, “*We don’t shut till five*”. “Yes, we know but we’ve just got a bit more organised”. Erm, so, we sort of started proving that we could do it and then erm there would be certain days we we’d be getting home late again. It was like, well *when you’re not here*. So, we all chipped in and it makes everyone better if we can all get out earlier, we can get home to our families earlier. So, by the time I left, on average we were probably finishing and getting out for about half five, quarter to six rather than like seven o’clock.” – Spencer

Overall, the interviews showed that challenge was a fairly common reaction to non-compliance and other work-based harm. Crucially, this theme underlines the diversity of behaviours that can be understood as challenge, and shows that measuring challenge only in terms of formal grievances, reports to enforcement bodies, or legal cases would miss a swathe of responses that are more informal in nature (e.g. simply mentioning an issue to a senior, pushing back informally on poor treatment, finding creative workarounds, etc.). Participants varied in their willingness to challenge problems, linked to a range of factors, including not just knowledge of their rights but confidence, expectations of outcomes, and subjective assessment of a problem. Workplaces’ responses to challenge varied, and their results underline how impactful managerial responses are, in terms of experiences of harm and (in)justice.

Leaving

Leaving a non-compliant or otherwise exploitative workplace was a common theme. Many participants described leaving such workplaces themselves, and several spoke of co-workers leaving. Leaving could mean different things: not just leaving a particular company but also leaving a difficult team or unit within it whilst staying at the company, or leaving an entire industry, a region or country, or the workforce entirely. A wide variety of reasons for leaving were discussed, including unpaid extra work, antisocial working hours, arguments with managers, a generally toxic working culture, racial abuse, other abuse, stress, other work-related health problems or concerns, insufficient support, and difficulty taking time off.

Sometimes people got fed up with feeling like they were being treated as disposable, and with their basic needs and accommodations not being respected. For example, Spencer described the last straw for her as being when her manager at the building society balked at her leaving early for an emergency hospital visit for her child:

“At that point, I was like, “No, *my kid will always come first*, no job is ever going to make me feel like that again”. And that was one of the turning points when I was just like, you know what, I need a more flexible job. We had to be there at eight, we were still there at like seven at night, but *we were only paid nine ‘til five*.” – Spencer

Scarlet told us about a colleague quitting on the spot, provoked by a manager's flippant response to safety concerns she had raised:

"And then another one of my colleagues actually said that there was one instance where a guy came in that had been banned, erm, or barred, erm, and the erm manager at the time was working with her and served this guy, and she said, "I don't feel comfortable serving that guy, like why have you just served him?" And then he said, "If you feel so uncomfortable then quit." So, she did. She handed in her notice and that was her last shift." – Scarlet.

Hannah told us about a former colleague in social care who ended up not only leaving that job but leaving the UK entirely, fed up of £40-50 rates for a full day's work (paid by the contact minutes, with travel and wait times between jobs left unpaid):

"There was one guy, erm he was Greek, that I made really good friends with...He stayed there for quite a while after I did. But erm he was saying how bad it was. He ended up going back to his country and just said it wasn't worth it being here." – Hannah

Some of those who left workplaces said they had tried to raise and resolve issues before leaving but felt they had no choice but to leave given the response and lack of resolution. For example, Daisy described how being reassigned to work in a different care home with patients with advanced care needs proved too much. Her request to be moved back to the original home, in keeping with her training and experience, was not upheld. She said that after a week off on work-related mental health grounds, "then I went back and I resigned" for the sake of her own health:

"My mental health took a toll, so it was best for me to leave". – Daisy

Robert said he felt compelled to leave a particular school and the whole area after the school (in a predominantly white area) repeatedly failed to respond robustly to racism from pupils and their parents:

"It would be all this kind of, you know, "That's what they're like around here". That acceptance [of racial discrimination], which is *wrong* on every level. You could not do that in an inner-city London school. There would be bloody riots outside the school, but erm which is why I came back...I never fitted in down there." – Robert

Other times, we were told about workplaces where the norm was for people to leave rather than first try to challenge. In such cases, there often seemed to be a perception – informed by past experiences – that complaint or other challenge would change little. For example, David talked about the norm in the factory where he worked being to leave without challenging issues with management, with workers only complaining among themselves:

"Every worker complains but just between each other. We told nobody. You complain and you move on, you know." – David

Faced with “misogynistic, sexist, everything basically” behaviour on the building site, Jake said he decided to quit construction entirely as he had no confidence in the industry being any different elsewhere:

“But erm all it was is that’s the way of the building site, isn’t it? You either learn to cope with that, or you, you crumble amongst it, or you leave and get out, yeah. So, I think I did a bit of both, just learnt to resist to that or play the game and then just left because it was just something – a world I didn’t want to be in.” – Jake

Formal complaints before or after departure were only very rarely mentioned. For example, Spencer described making a formal, internal complaint herself (and colleagues also doing so) in two previous jobs (at a building society and a charity). In the charity she said the colleague in question, “threw a box of lever arch folders at me when I was heavily pregnant” and that this person was eventually asked to leave, but not before various other people had already quit in reaction to being treated badly by her too:

“Then when you look back at the people that left, it was like, oh *they* left because of her, *they* left because of her, *they* left because of her. And it took, like I said, it took the boss to realise, “Oh wow these are all proper formal complaints, we need to actually start doing something now.”.” – Spencer

Health concerns were one of the most commonly cited grounds for departure. For example, in addition to Daisy’s experience leaving social care because of the negative mental health impacts (mentioned above), Hannah quit social care on health grounds too. After working through the height of the Covid-19 pandemic, Hannah said she found out she was pregnant after having just had Covid, and quit immediately:

“That’s why I just *completely stopped* working. I was like, I’m not working no more. It was literally like a case of I’m not working anymore, I’m pregnant, I’m not risking it, and yeah, I stopped.” – Hannah

Carlos also described health considerations being a major part of his decision to retire early from his previous well-paid job as an IT consultant. He told us about working very long hours there (60-70 hour weeks “as typical”), with no paid overtime and considerable stress, which negatively impacted his health:

“When I was working, I was diagnosed with high blood pressure, which I took medication for. I did have migraines and things like that...that was probably down to the role and the pressure you’re under to deliver. But since then, no, I’ve felt fine, no issues at all... I was 57 anyway and I was trying to retire at 60, so I just asked for [voluntary early retirement] ...I knew so many people that retired at 60 and dropped dead at 61. That was why I retired when I did.” – Carlos

Getting fed up with racism was the other most frequently cited ground for leaving. In addition to Robert's experiences (see above), Venus said his main driver for retraining in IT was to get away from racist abuse from customers in retail banking. Sam also told us about a colleague in social care who quit because he was fed up of racism from patients. Both are illustrated below. Additionally, Maria told us she and "all of the non-British staff" left one ward as quickly as they could, to get away from a supervisor with a reputation for racial discrimination (i.e. leaving one part of a workplace, but not the whole job).

"I think that [racist abuse] was the biggest motivator to move very fast as well. Not just move elsewhere. Once that happened, I had to reflect really hard. Is this what I want to continue doing? Erm, or do I want to move to control who I speak to as much as I can? Basically, the more professional I become the better working conditions I will get. So, I chose that." – Venus

"We had a black man that used to work with us and he, he got fed up with the patients saying, 'I'm not going home, I'm not having a black man in my house.' And that sort of thing, so that was difficult. And that chap actually was agency, so he just left and went and did another job." – Sam

Overall, leaving was a common reaction to non-compliant or otherwise harmful working conditions and can be understood as another way of exercising agency in the face of problems at work. Grounds for leaving varied but the most common related to health issues or concerns, and racism. Importantly, our data underlined that leaving encompasses more than just quitting a specific company. Indeed, as important as that could be, we also found evidence of people opting to move out of a specific team or unit but stay within a company, leaving an entire industry, a region or a country, or leaving the workforce entirely. Whether, when and how people leave appears to be related to multiple interrelated factors, including their personal life situation (including the resources and constraints they have), their perceptions and motivations, tolerance levels, colleagues' and superiors' behaviour and reactions to issues raised, and the alternatives available to them. As the examples above show, a perception of certain problems being normalised and widespread within a whole industry could be grounds to switch industries for some, whereas for others it meant they put up with it as par for the course.

Conclusion

In this chapter, we focused on ways in which participants navigated non-compliant or otherwise harmful working conditions. We identified four main responses: 1) putting up with issues; 2) getting advice; 3) complaining or otherwise challenging; and 4) leaving. These themes were not mutually exclusive but rather could interact, with response pathways evolving and adapting depending on a variety of circumstances and events. One overarching implication of this analysis is that any future attempts to quantify different responses to breaches of labour rights (e.g. through a dedicated survey on access to justice) would need to account for the **considerable complexities, contingencies and context-sensitivities** identified here. This resonates with and reinforces findings of our cognitive interviews to test planned Working Lives Survey questions on access to justice, which had to be dropped in part because they could not capture the complexity of real-world responses in the time available.

Another overarching message from this chapter is that **workplace reactions really matter** in terms of participants' experiences. This applied both to workplace reactions to non-compliance and work-based harms, and to attempts to challenge them. In short, poor responses from managers, or other colleagues in a position of responsibility, could compound harms, whilst good responses could alleviate negative impacts. Overall, we found considerable variation within the themes as well: for example, there are many ways of challenging an issue, pushing back and asserting rights, many of which never go beyond internal challenges. Yet, State data on labour market non-compliance derives from formalised, external challenge – complaints and cases registered with external bodies (e.g. HMRC, Acas, Employment Tribunals, etc.). **Another key takeaway from our analysis is that formal, external complaints must be seen as just the tip of the iceberg, and a poor indicator of the scale of issues workers experience. If they are the only thing in focus, sight will be lost of a wide variety of non-compliance and other harms.** Our interviews also showed that people can and do put up with a lot in terms of labour market non-compliance and other work-based harms. **That does not mean they should be expected to.** There is obvious value in paying more attention to ways of supporting workers to assert their rights and challenge non-compliance and other harms, be it internally within a workplace or via external channels. With that in mind, we turn to the last empirical chapter of this study, which focuses on trade unions and staff associations.

Chapter 11: Trade unions and staff associations

Chapter summary

In this chapter, we investigate how workers in the UK perceive and experience trade unions and staff associations. We integrate quantitative and qualitative data to provide both breadth and depth of insights into these mechanisms for worker voice and worker organising. The chapter has four main elements. First, we contextualise the current study with an overview of the key legislation around trade unions and discussion of relevant prior literature. Second, we present patterns in membership of and attitudes to trade unions and staff associations in the full workforce and among precarious workers, using representative data from the Working Lives Survey. Third, we analyse the focus group data thematically to identify common themes in how participants understand and relate to trade unions and staff associations, thus adding texture and nuance. Fourth, we analyse participants' reactions to core survey findings about which workers are more or less likely to be members themselves, exploring their proposed explanations and demonstrating how our statistical findings resonate with experiences and expectations on the ground.

Introduction

In this chapter, we turn our attention to the final research question: How do different workers and groups of workers perceive and experience trade unions and staff associations? To answer this question, we bring together two datasets. Accordingly, we use representative quantitative data from the Working Lives Survey to make inferences around membership, exposure and attitudes both to the full workforce and to precarious workers specifically. We also analyse in-depth qualitative data from six focus groups with 50 UK workers in total (all earning £36,000 or less a year), as a way of adding texture and nuance in terms of workers' qualitative perceptions and experiences of these sources of worker voice and worker organising. Further demonstrating methodological integration, the analysis of preliminary survey findings itself shaped the design and contents of the focus groups (see Chapter 3: Methods).

Our particular interest was in trade unions as a potentially protective factor against labour market non-compliance and other work-based harm (i.e. helping prevent, mitigate and/or challenge harms). However, it was important also to consider staff associations as another potential source of protection and to unpack potential differences and similarities in their functions as compared to trade unions. Thus, the chapter focusses on a broader set of examples when it comes to organised labour in the UK.

One reason the trade unions and staff associations were scrutinised together is that currently they are grouped together in the questions of the Labour Force Survey (LFS), which informed our own Working Lives Survey. Following the LFS, the respondents were asked whether they and/or co-workers were members of "a trade union or staff association". We specifically asked the worker representatives advisory group during the question development phase whether they wanted us to only focus on trade unions, but they suggested leaving the LFS question unchanged. The cognitive question testing indicated that while trade unions were clearly understood by precarious workers, most of them had never heard about staff associations so, they could only make guesses what they could be. Yet, at the same time, they did find the concept of a staff association easy to grasp and indicated that it mapped well on their presumptions regarding what they entailed. Nevertheless, to make our results directly comparable to the LFS, we decided not to modify these questions.

Yet, while trade unions are defined in law¹⁵⁴, there is no equivalent statutory definition of a staff association. We understand them as an internal, employer-authorised, company-specific mechanism for worker voice, consultation and support, with far fewer legal powers than trade unions.¹⁵⁵ The lines can blur somewhat, since some staff associations can meet the statutory definition of a trade union. In that case, they can also be listed (i.e. officially recognised) as trade unions by the Certification Officer, which is the regulator of trade unions). However, the key difference regardless is that staff associations are not independent of the employer's management control and thus, even when registered as trade unions, staff associations have more limited statutory rights than do *independent* trade unions.¹⁵⁶ In light of this context, we suspected that the dynamics, attitudes and experiences to the two could be very different, which was something the qualitative parts of the research helped to disentangle and indeed demonstrated.

We were also interested in the trade unions and staff associations as the (multivariate) quantitative findings suggest complex associations between trade unions and staff association presence at the workplace: while we found that their presence can be protective when it comes to the amount of unfair deductions, NMW violation, and getting payslip(s) on time, workers were also more likely to report unpaid extra hours at work, physical injuries, negative mental health effects due to work, and bullying or harassment at the workplace. This complex and contradictory picture on its own warranted the further investigation presented in this chapter.

The remainder of this chapter is structured as follows. First, we provide the necessary legal and empirical context for our analyses through an overview of the legislative context around trade unions in the UK and discussion of particularly relevant prior research. We also consider the (comparatively very limited) context around staff associations, for which there is no equivalent legislation governing them – unless they are listed as non-independent trade unions. Staff associations have been the subject of far less empirical research too.

Second, we present survey findings on patterns in individual membership and workplace coverage of trade unions and staff associations. We provide descriptive statistics of weighted estimates of individual membership and the presence of organised labour in a workplace, for both precarious workers and the UK workforce at large. Here we highlight important distinctions between and within these groups, finding for example that individual membership is markedly lower for precarious workers. We also analyse responses to attitudinal questions about respondents' own perceptions of the value of trade unions and staff associations and whether they think their employers, managers, or supervisors are in favour, opposed, or neutral towards trade unions and staff associations. Using

¹⁵⁴ The statutory definition of trade unions is in section 1 of the Trade Union and Labour Relations (Consolidation) Act 1992.

¹⁵⁵ Trade unions and their members have far greater express statutory rights and protections than staff associations and their members. Staff associations are employer-authorised and specific to a particular company, rather than working across a sector(s) as an independent body. Although there are scenarios where the workplace must be consulted regardless of trade union recognition, staff associations have far fewer legal rights and cannot bargain collectively on members' behalf without employer agreement or induce workers to take protected industrial action at all.

¹⁵⁶ Where a staff association is listed as a trade union by the Certification Officer (CO), there are certain duties that the staff association must carry out under the terms of their regulation, for example providing copies of its annual return to the CO. While the duties of regulation are the same here as for any independently listed trade union, staff associations are not independent (see previous points) and so cannot obtain the Certificate of Independence from the CO and thus do not have the same statutory rights as independent trade unions do.

regression models, we find that job permanence, source of ‘right to work’ status, and organised labour at the workplace are all associated with the probability of individual membership.

Third, we present key themes identified through iterative inductive thematic analysis of the full focus group transcripts (for details on sampling and sample, see Chapter 3 and Appendices H-J). We concentrated here on themes reflecting participants’ general perceptions and experiences of trade unions and staff associations¹⁵⁷. Generally, attitudes towards trade unions were far more positive than negative but there was considerable context-dependency in how valuable and useful trade unions were seen as being in *specific* settings, which resonates with and helps explain key survey findings. Overall, we identified eight main themes: 1) Trade unions widely seen as “personal protection”; 2) Positive attitudes and experiences around trade unions outweighed negatives; 3) A keen sense of declining trade union power; 4) Anti-trade union stigma, silence and pro-trade union norms; 5) Perceptions of the relevance and necessity of trade union membership; 6) Affordability of trade union membership: absolute cost and relative value; 7) Considerable uncertainty and mixed views around staff associations; 8) A varied and fragmented picture on other sources of support for workers. To be clear, participants’ views on trade unions should be read in the context of *independent* trade unions.

Fourth, we analyse focus group participants’ reactions to core survey findings around variables that were both significantly and strongly associated with individual membership of trade unions and staff associations. We explore five such variables presented to the groups for discussion: 1) age; 2) permanence of job; 3) industry patterns; 4) size of workplace; and 5) citizenship and migration status. For each, we examine reactions to the findings and explanations workers put forward for the observed relationships. Overall, the survey findings strongly resonated with participants’ experiences and expectations. We also draw attention to additional variables (health/disability and geography) that some people suggested they would have expected to see among the significant associations. This part of the analysis shows how an integrated mixed-methods approach helped validate the survey findings and added nuance and insights to their interpretation.

Finally, we bring together the different strands of the chapter’s research in a brief conclusion, pointing to implications for strategies to protect and enhance worker voice and worker organising in the UK labour market.

Legal context and brief review of relevant evidence base

Freedom of association, including the right to form and to join trade unions for the protection of one’s interests, is a fundamental human right. It is protected by Article 11 of the European Convention on Human Rights (ECHR) (as well as other sources of international law), which is incorporated into UK law by the Human Rights Act 1998. This right is qualified by Article 11(2), which permits restrictions if they are prescribed by law, necessary in a democratic society, and pursue legitimate aims like national security, public safety, preventing disorder/crime, or protecting the rights of others. The UK, as a signatory to the ECHR, adheres to Article 11. Nevertheless, the UK is generally considered to have a restrictive collective labour law regime, brought about by restrictive legislation introduced in the

¹⁵⁷ We asked primarily about *perceptions*, as we did not want to push people to discuss potentially sensitive details in a group setting. However, many participants freely brought up their own *experiences* in response, further enriching the analysis possible.

early 1980s and beyond.¹⁵⁸ Significant changes reducing or reversing restrictions on trade union activity were, however, introduced by the Employment Rights Act 2025 (see below).

A central element of freedom of association for trade union purposes and basic legal protection is the right to join a trade union and engage in trade union activities. Discrimination on the grounds of trade union membership and activities (including non-membership) is prohibited. Section 137 of the Trade Union and Labour Relations (Consolidation) Act 1992 (TULRCA) and article 26 of the Employment Rights Order (Northern Ireland) 1996 (ERO (NI)) make it unlawful to refuse a person employment on grounds related to union membership. The use of the term ‘person’ means that this provision is not limited to any particular employment status (some forms of employment, e.g. in police service, are excluded in Part VII). Section 138 and article 27 extend this protection to those working through employment agencies and employment businesses. Discrimination at this stage is enforced by civil claims to the Employment Tribunal (hereafter tribunal).¹⁵⁹

‘Blacklisting,’ whereby employers use compiled lists of trade union members or activists to deny them employment, is unlawful under regulation 3 of the Employment Relations Act 1999 (Blacklists) Regulations 2010 and regulation 3 of the Employment Relations (Northern Ireland) Order 1999 (Blacklists) Regulations (Northern Ireland) 2014 (the provisions are identical). Individuals who are refused employment because of a blacklist may bring claims in the tribunal under regulation 5. The statutory provision does not specify that it is limited to any particular employment status. Regulation 6(1) of the respective regulations extends this protection and right of complaint to a tribunal to individuals refused services by an employment agency.

Regulation 9 of the respective blacklisting regulations provide protection against detrimental treatment in relation to the use of a prohibited list. This protection does not specify its scope, simply the claimant must be a ‘person’ with an ‘employer’, which are not defined. It extends to at least limb (b) workers and, given its background of blacklisting in the construction industry which features a large degree of self-employment, the word ‘person’ arguably includes the self-employed.

Section 146 of the TULRCA and Article 73 ERO (NI) 1996 provide all workers (not the self-employed) with protection against detrimental treatment.¹⁶⁰ Importantly, detrimental treatment can include dismissal, which therefore provides an element of protection to limb(b) workers against dismissal in this context.¹⁶¹ Subjecting a worker to a detriment will be unlawful if it is related to trade union membership, activities or services, if it is for the purpose of enforcing a requirement that non-union members must make one or more payments as a result of not being a member, and if it is because of

¹⁵⁸ K.D. Ewing, John Hendy, The Dramatic Implications of Demir and Baykara, *Industrial Law Journal*, Volume 39, Issue 1, March 2010, Pages 2–51; Alan Bogg, K. D. Ewing, The Implications of the *RMT* Case, *Industrial Law Journal*, Volume 43, Issue 3, September 2014, Pages 221–252; Alan Bogg, Beyond Neo-Liberalism: The Trade Union Act 2016 and the Authoritarian State, *Industrial Law Journal*, Volume 45, Issue 3, September 2016, Pages 299–336; Alessio Bertolini, Ruth Dukes, Trade Unions and Platform Workers in the UK: Worker Representation in the Shadow of the Law, *Industrial Law Journal*, Volume 50, Issue 4, December 2021, Pages 662–688; Ioannis Katsaroumpas, Crossing the Rubicon: The Strikes (Minimum Service Levels) Act 2023 as an Authoritarian Crucible, *Industrial Law Journal*, Volume 52, Issue 3, September 2023, Pages 513–559; Alan Bogg, Hugh Collins, ACL Davies, Virginia Mantouvalou, *Human Rights at Work*, 2024, Hart Publishing, Chapters 5, 6 and 7.

¹⁵⁹ TULRCA 1992 sections 137–183; ERO (NI) 1996 article 28.

¹⁶⁰ On the meaning of ‘detriment’, see *Shamoon v Chief Constable of the Royal Ulster Constabulary* [2003] UKHL 11.

¹⁶¹ This remains a separate legal regime; it is not the same as saying that limb(b) workers have unfair dismissal protection. The distinction is elucidated below.

the failure to accept an unlawful inducement in relation to trade union rights. The dismissal and detriment protections extend to involvement in a trade union recognition procedure.¹⁶² There are various provisions and protections for employees who are officials or members of recognised trade unions to have the right to reasonable time off to conduct trade union duties and activities,¹⁶³ and are protected against detriments for conducting trade union duties and activities,¹⁶⁴ each enforced by tribunal claims. Employees, ‘limb (b) workers’ and agency workers have a right to be accompanied at a disciplinary or grievance hearing by a trade union official or a colleague, enforced by tribunal claims and protected against detriments).¹⁶⁵ Self-employed people who are not agency workers do benefit from this protection. Detrimental treatment protection is enforced by civil claims to the tribunal.¹⁶⁶

It is automatically unfair to dismiss an employee on the basis of their trade union membership and activity (limb (b) workers do not have unfair dismissal rights),¹⁶⁷ enforced by civil claims in the tribunal.¹⁶⁸ Dismissal protections extend to involvement in a trade union recognition procedure,¹⁶⁹ exercised or sought to exercise the right to be accompanied at a disciplinary or grievance hearing,¹⁷⁰ for conducting trade union duties and activities,¹⁷¹ and for failing to accept an offer that constitutes an unlawful inducement.¹⁷² Dismissing an employee on blacklisting grounds is an automatically unfair reason for dismissal,¹⁷³ enforced in the tribunal.¹⁷⁴ It is also automatically unfair to dismiss an employee for participating in lawful industrial action.¹⁷⁵ Taking part in unofficial strike action is not covered by unfair dismissal protection.¹⁷⁶

¹⁶² TULRCA 1992 Schedule A1 paragraphs 156-165; Trade Union and Labour Relations (Northern Ireland) Order 1995 Schedule A1 paragraphs 156-165.

¹⁶³ TULRCA 1992 sections 168-170; ERO (NI) 1996 article 95.

¹⁶⁴ TULRCA 1992 section 146, 152, 168 and 170; ERO (NI) 1996 articles 73, 95 and 136. Regulations protecting workers from detriments for lawful industrial action is due to commence in October 2026, after a 2024 Supreme Court judgement found that no such protection currently exist (*Secretary of State for Business and Trade v Mercer* [2024] UKSC 12).

¹⁶⁵ Employment Relations Act 1999 sections 10-12; Employment Relations (Northern Ireland) Order 1999 articles 12-14.

¹⁶⁶ TULRCA 1992 section 146; ERO (NI) 1996 article 74.

¹⁶⁷ TULRCA 1992 section 152; ERO (NI) 1996 article 136. Protections against automatically unfair dismissal in this context apply from day one of employment.

¹⁶⁸ TULRCA 1992 section 146; ERO (NI) 1996 article 145.

¹⁶⁹ TULRCA 1992 Schedule A1 paragraphs 156-165; Trade Union and Labour Relations (Northern Ireland) Order 1995 Schedule A1 paragraphs 156-165.

¹⁷⁰ Employment Relations Act 1999 section 12(3); Employment Relations (Northern Ireland) Order 1999 article 14(3)

¹⁷¹ TULRCA 1992 section 152; ERO (NI) 1996 article 136.

¹⁷² TULRCA 1992 section 152; ERO (NI) 1996 article 136.

¹⁷³ ERA 1996 section 104F; ERO (NI) 1996 article 135F.

¹⁷⁴ ERA 1996 section 111; ERO (NI) 1996 article 145.

¹⁷⁵ TULRCA 1992 section 238A; ERO (NI) 1996 article 144A. In Northern Ireland, automatic unfair dismissal protections only apply for the first 12 weeks of lawful industrial action (plus any extensions for employer lock-outs).

¹⁷⁶ TULRCA 1992 section 237; ERO (NI) 1996 article 143.

Section 146(5A) of the TULRCA and Article 73(6) of the ERO (NI) 1996 maintain the division between unfair dismissal protection and protection from detrimental treatment in the form of dismissal. The provisions state that the dismissal of an employee is not a detriment (meaning any claim for dismissal by an employee must be pursued under the unfair dismissal regime, not the detrimental treatment regime). A worker who is dismissed for the reasons listed in s.152 and Article 136 would, however, be able to complain of a detriment.

Collective bargaining – the official process by which trade unions negotiate the terms and conditions of employment with employers, on behalf of their members – is a crucial trade union activity and an ‘essential element’ of freedom of association under Article 11 of the ECHR.¹⁷⁷ To engage in collective bargaining, a trade union needs to be recognised by the employer of the relevant bargaining unit. An employer can voluntarily recognise a trade union for collective bargaining. Alternatively, Schedule A1 of the TULRCA 1992 or the Trade Union and Labour Relations (Northern Ireland) Order 1995 contains a statutory recognition procedure through which trade unions can apply to the Central Arbitration Committee (or the Industrial Court in Northern Ireland) to be statutorily recognised for collective bargaining purposes. The statutory recognition procedure is only available to independent trade unions. Schedule A1 sets out a detailed procedure. Of particular relevance are the limitation on statutory recognition to employers of least 21 workers, minimum levels of trade union membership to make a request for recognition, protections against unfair practices during a recognition ballot, determination of the appropriate bargaining unit, and the derecognition of non-independent trade unions. In most cases, recognition and derecognition of a trade union is achieved through a recognition ballot.

To engage effectively in collective bargaining, an *independent* trade union has a statutory right to seek information from the employer, laid down in section 181 of TULRCA 1992 and article 39 of the Industrial Relations (Northern Ireland) Order 1992. The information can only be relevant to matters the trade union is recognised for and needed for collective bargaining. Complaints of a failure to disclose information is presented to the CAC or, in Northern Ireland, the Labour Relations Agency and, subsequently, Industrial Tribunal.

To maintain the integrity of collective bargaining structures, employers are restricted in inducing workers to contract with them individually outside of collective bargaining. Following *Wilson and Palmer v UK*,¹⁷⁸ an employer violates section 145A of TULRCA 1992 or article 77A of ERO (NI) 1996, if it makes an offer to an employee or ‘limb (b) worker’ for the sole or main purpose of inducing them: a) not to be or seek to become a member of an independent trade union, b) not to take part, at an appropriate time, in the activities of an independent trade union, c) not to make use, at an appropriate time, of trade union services, or d) to be or become a member of any trade union or of a particular trade union or of one of a number of particular trade unions. Employees or ‘limb (b) workers’ who are members of a recognised trade union have a right not to be made an offer, acceptance of which would mean that their terms of employment (or any one of them) will not or will no longer be determined by collective agreement.¹⁷⁹ The result must be the sole or main purpose of the offer. The Supreme Court in *Kostal UK Ltd v Dunkley & Ors* held that the removal of the term does not have to be permanent. Removal of the term on even a single occasion can be an unlawful inducement.¹⁸⁰

¹⁷⁷ *Demir and Baykara v Türkiye* [2008] ECHR 1345 paras 145 and 154.

¹⁷⁸ *Wilson and Palmer v UK* [2002] ECHR 552

¹⁷⁹ TULRCA 1992 section 145B; ERO (NI) Order 1996 article 77B.

¹⁸⁰ *Kostal UK Ltd v Dunkley & Ors* [2021] UKSC 47.

The case law under the ECHR protects the right to engage in strike action under Article 11 of the ECHR.¹⁸¹ To engage in lawful strike action,¹⁸² trade unions must satisfy a wide range of complex procedural requirements relating to balloting their members and notifying the employer of the ballot and its result.¹⁸³ Failure to comply can result in a loss of protection and an injunction preventing the industrial action. Peaceful picketing during strike action is permitted under section 220 of TULRCA 1992 and article 98 of the Trade Union and Labour Relations (Northern Ireland) Order 1995.

Finally, there are various situations in which employers are legally required to consult with trade union representatives. For example, where an employer is proposing to make a certain number of employees ('limb (b) workers' are excluded) redundant over a 90-day period, the employer must consult with employee representatives on how to avoid and reduce dismissals and mitigate their consequences. Prior to the Employment Rights Act 2025, this threshold of proposed redundancies was 20 employees at a single establishment, meaning that mass redundancies could be spread across multiple establishments of a business without triggering the duty to collectively consult.¹⁸⁴ The Employment Rights Act 2025 maintains the '20 employees at a single establishment' trigger, but also introduces a second threshold trigger of redundancies that applies across the business in question and is not limited to a single establishment.¹⁸⁵ The number of proposed redundancies in the business-wide threshold will be determined by secondary legislation.¹⁸⁶ When an employer fails to comply with the requirements to consult, employees who are made redundant, or are proposed to be dismissed as redundant, can bring individuals complaints for a protective award to the tribunal. The protective award can be up to 180-days of their pay.¹⁸⁷

The Employment Rights Act 2025 introduces numerous significant changes that will be brought into force in stages.¹⁸⁸ These include:

- introducing a right to a statement of trade union rights;
- introducing a right to access workplaces for trade unions;
- providing a power that would enable Ministers to vary the current 10% trade union membership threshold for admissible statutory recognition applications, within parameters of 10% to 2%;
- removing the requirement for admissible trade union statutory recognition applications that a majority of the workers in the relevant bargaining unit would be likely to favour recognition;
- repealing the minimum 50% turnout requirement for industrial action ballots;

¹⁸¹ *Enerji Yapi-Yol Sen v Türkiye* [2009] ECHR 2251; Alan Bogg, ACL Collins, Hugh, Davies, Virginia Mantouvalou, *Human Rights at Work*, 2024, Hart Publishing, Chapter 7. See also ECHR, Guide on Article 11 of the European Convention on Human Rights, Freedom of assembly and association, 2025. p.47-48

¹⁸² TULRCA 1992 section 219. Action to enforce trade union membership, in response to a dismissal for taking unofficial strike action, secondary action, and pressure to impose trade union recognition requirements in commercial contracting are not protected.

¹⁸³ TULRCA 1992 Part V; Trade Union and Labour Relations (Northern Ireland) Order 1995 Part VIII.

¹⁸⁴ *USDAW v Woolworths* [2015] WLR(D) 189.

¹⁸⁵ Employment Rights Act 2025 section 29.

¹⁸⁶ Employment Rights Act 2025 section 195A.

¹⁸⁷ TULRCA 1992 section 189.

¹⁸⁸ The provisions on trade unions in the ERA 2025 only apply to England, Wales and Scotland.

- repealing the requirement for industrial action ballots in important public services and statutory recognition ballots to get 40% support from all workers eligible to vote (only a simple majority of those who do vote is required);
- repealing minimum service level legislation and repealing the majority of the provisions in the Trade Union Act 2016;
- increasing industrial action mandates from 6 months to 12 months;
- repealing the 12-week limit on automatic unfair dismissal protection for engaging in lawful industrial action;
- providing protection from detrimental treatment on the grounds of lawful industrial action;
- introducing an additional organisation-wide threshold for collective redundancy obligations and grants the government a power to set the threshold through secondary legislation;
- increasing the maximum protective award to a redundant employee for failing to consult on collective redundancies from up to 90-days' pay (of the employee) to up to 180 days' pay.

Trade unions can be a key source of advice and support, making workers aware of their rights, negotiating with employers on their behalf from a position of collective strength, deploying industrial relations strategies, and providing legal assistance to workers. The first Director of Labour Market Enforcement stressed, for example, “the key role that unions play in labour market enforcement...and the need for the enforcement bodies to treat with our trade unions and gain from their expertise.”¹⁸⁹ Evidence suggests that trade union presence in a workplace reduces the likelihood of legal violations and severe exploitation.¹⁹⁰ Additionally, trade unions tend to enable workers to obtain greater job security and increased pay at work.¹⁹¹ For instance, the trade union wage premium - the percentage difference between the average gross hourly earnings of employees who are trade union members and non-members – increased to 4.9% in 2024.¹⁹²

Please note that while we refer to trade union membership in the previous paragraph and subsequent ones, in fact these official statistics also incorporate staff association membership, and it is impossible to disaggregate between the two because of the phrasing of the relevant question in the Labour Force Survey. We would, however, expect the patterns and trends discussed to be driven overwhelmingly by independent trade union membership but more precise data is required (see Chapter 12 for a recommendation on this point).

¹⁸⁹ D Metcalf, ‘UK Labour Market Enforcement Strategy 2018 to 2019’ (May 2018), iv.

¹⁹⁰ Hagedorn J, Paras CA, Greenwich H, Hagopian A. The Role of Labor Unions in Creating Working Conditions That Promote Public Health. *Am J Public Health*. 2016 Jun;106(6):989-95; Zac Bowersox. (2024). Union Density and Human Trafficking: Can Organized Labor Discourage Trafficking? *Journal of Human Trafficking*, 10(4), 529–542; Luisa Lupo and Anil Verma, ‘Do workplace unions and collective bargaining matter for labour standards compliance? The role of local industrial relations in global supply chains’ (2025) 164(2) *International Labour Review*.

¹⁹¹ Alex Bryson, ‘Union Wage Effects’ (2014) IZA World of Labour; Alex Bryson and John Forth, *The added value of trade unions New analyses for the TUC of the Workplace Employment Relations Surveys 2004 and 2011* (TUC 2017); David G. Blanchflower and Alex Bryson, “Unions, wages and hours,” NBER Working Paper 32471 (2024),

¹⁹² Department of Business and Trade, ‘Trade Union Membership, 1995-2024: Statistical Bulletin’ (May 2025).

Trade union membership and collective bargaining coverage have declined precipitously since 1979. Trade union membership in the UK peaked in 1979 at 13.2 million, amounting to approximately 50% of workers.¹⁹³ In 1979, 71% of workers covered by collective agreements.¹⁹⁴ By 2024, trade union membership has fallen to 6.4 million workers, amounting to just 22% of workers and the lowest recorded membership rate since comparable data began to be collected in 1995.¹⁹⁵

The decline of trade union membership has been felt most sharply in the private sector. 2.5 million workers in the private sector are trade union members, compared with 3.9 million in the public sector.¹⁹⁶ Trade union density in the private sector (11.7%) is significantly lower than in the public sector (49.9%).¹⁹⁷ Even public sector trade union membership density, however, has been below 50% for three consecutive years (2022-2024), whereas it had been above 50% since 1995.¹⁹⁸

In 2024, 2.7 million trade union members were male, and 3.7 million were female.¹⁹⁹ Male trade union membership has consistently declined from 35% in 1995 to 18.8% in 2024, and fell by 1.4% (172,000) in 2024.²⁰⁰ Female trade union membership increased by 0.5% (134,000) to 25.1% in 2024.²⁰¹ Female trade union density has been much flatter, only dropping to its present rate from a rate of 29.7% in 1995.²⁰²

Trade union membership is generally lower amongst migrants. 23.1% of UK-born employees are trade union members, compared with 17.4% of non-UK born employees.²⁰³ 40% of migrants are in a workplace that has a union presence, compared with 46% of UK-born workers.²⁰⁴ One explanation for this may be the relative age and length of service between the two groups. Older workers comprise a higher proportion of trade union members, and workers who have longer lengths of service with an employer are more likely to be a member of a trade union.²⁰⁵

Employees in secure, full-time and permanent employment are more likely to be trade union members.²⁰⁶ Higher income earners are more likely to be trade union members, and those working in professional occupations accounted for 42.4% of trade union members in 2024, despite only constituting only 27.4% of the workforce.²⁰⁷ 22.5% of workers in permanent positions belonged to a

¹⁹³ Department of Business and Trade, 'Trade Union Membership, 1995-2024: Statistical Bulletin' (May 2025).

¹⁹⁴ [Time to rebuild collective bargaining in Europe | TUC](#)

¹⁹⁵ Department of Business and Trade, 'Trade Union Membership, 1995-2024: Statistical Bulletin' (May 2025). The Labour Force Survey on which these statistics are based defines a trade union member as someone who belongs to a trade union or staff association.

¹⁹⁶ Department of Business and Trade, 'Trade Union Membership, 1995-2024: Statistical Bulletin' (May 2025).

¹⁹⁷ Department of Business and Trade, 'Trade Union Membership, 1995-2024: Statistical Bulletin' (May 2025).

¹⁹⁸ Department of Business and Trade, 'Trade Union Membership, 1995-2024: Statistical Bulletin' (May 2025).

¹⁹⁹ Department of Business and Trade, 'Trade Union Membership, 1995-2024: Statistical Bulletin' (May 2025).

²⁰⁰ Department of Business and Trade, 'Trade Union Membership, 1995-2024: Statistical Bulletin' (May 2025).

²⁰¹ Department of Business and Trade, 'Trade Union Membership, 1995-2024: Statistical Bulletin' (May 2025).

²⁰² Department of Business and Trade, 'Trade Union Membership, 1995-2024: Statistical Bulletin' (May 2025).

²⁰³ Department of Business and Trade, 'Trade Union Membership, 1995-2024: Statistical Bulletin' (May 2025).

²⁰⁴ [Why the Fair Work Agency needs a migrant worker focus | Work Rights Centre](#)

²⁰⁵ Department of Business and Trade, 'Trade Union Membership, 1995-2024: Statistical Bulletin' (May 2025).

²⁰⁶ Department of Business and Trade, 'Trade Union Membership, 1995-2024: Statistical Bulletin' (May 2025).

²⁰⁷ Department of Business and Trade, 'Trade Union Membership, 1995-2024: Statistical Bulletin' (May 2025).

trade union in 2024, compared to 12.9% of workers in temporary positions.²⁰⁸ A higher proportion of full-time workers (22.8%) compared to part-time workers (19.2%) had trade union membership in 2024.²⁰⁹ Amongst all trade union members, 78.7% work full-time.²¹⁰ 27.9% of workers in larger workplaces were trade union members, with 63.7% having a trade union presence, compared to 14.4% and 29.9% respectively for workers at smaller workplaces with fewer than 50 workers.²¹¹

In terms of collective agreements, in the public sector, around 89.2% of jobs had pay set by collective agreements, compared to around 20.1% of jobs in the private sector and 49.0% in the not-for-profit sector.²¹² Workers in medium and large enterprises are more likely to have their pay set through a collective agreement (17.6% and 55.9%) compared with workers in micro and small enterprises (10% and 10.4%).²¹³ National or industry level agreements are more common in the public sector, covering 67.6% of public sector jobs.²¹⁴ In contrast, private sector jobs covered by collective agreement are more likely to be negotiated at the employer level (8.2%) or workplace level (6.9%).²¹⁵

In contrast to the extensive regulation and protections of trade unions, staff associations are not defined in legislation and are not subject to an extensive statutory framework. They are largely undefined and unregulated internal company organisations, though some protection of their recognition for collective bargaining purposes is provided by paragraph 35 of Schedule A1 to the TULRCA. As mentioned previously, where a staff association is listed as a trade union by the Certification Officer (CO), there are certain duties that the staff association must carry out under the terms of their regulation, for example providing copies of its annual return to the CO. Crucially, staff associations are not independent and so cannot obtain the Certificate of Independence from the CO and thus do not have the same statutory rights as independent trade unions do. Finally, there is comparatively little academic research on the operation of staff associations. However, concerns have been raised by some scholars that staff associations can be used to block the recognition of *independent* trade unions.²¹⁶

Quantitative findings about trade unions and staff associations

In the Working Lives Survey, we asked each person whether they were members of a trade union or staff association. Separately, we also asked them whether any of the people they worked with were members of a trade union or staff association. We used the latter measure to gauge union or staff association presence at the workplace, with the key assumption that co-workers' membership indicates trade union/staff association presence. However, co-workers being trade union members

²⁰⁸ Department of Business and Trade, 'Trade Union Membership, 1995-2024: Statistical Bulletin' (May 2025).

²⁰⁹ Department of Business and Trade, 'Trade Union Membership, 1995-2024: Statistical Bulletin' (May 2025).

²¹⁰ Department of Business and Trade, 'Trade Union Membership, 1995-2024: Statistical Bulletin' (May 2025).

²¹¹ Department of Business and Trade, 'Trade Union Membership, 1995-2024: Statistical Bulletin' (May 2025).

²¹² Department of Business and Trade, 'Trade Union Membership, 1995-2024: Statistical Bulletin' (May 2025). This statistic is based on ASHE data.

²¹³ Department of Business and Trade, 'Trade Union Membership, 1995-2024: Statistical Bulletin' (May 2025).

²¹⁴ Department of Business and Trade, 'Trade Union Membership, 1995-2024: Statistical Bulletin' (May 2025).

²¹⁵ Department of Business and Trade, 'Trade Union Membership, 1995-2024: Statistical Bulletin' (May 2025).

²¹⁶ Keith Ewing, 'Trade Union Recognition and Staff Associations - A Breach of International Labour Standards' (2000) 29 Indus LJ 267; Alan Bogg & Ruth Dukes, 'Article 11 ECHR and the Right to Collective Bargaining: Pharmacists' Defence Association Union v Boots Management Services Ltd' (2017) 46 Indus LJ 543

does not necessarily equate to formal trade union recognition at a workplace (with its associated rights to collective bargaining)²¹⁷.

Table 11.1: Trade union and staff association membership and workplace presence

Construct	Full workforce	Precarious workers
Trade union or staff association membership	20.12%	8.97%
Trade union or staff association presence	42.71%	26.09%
Trade union and staff association membership without their presence	1.94%	0.91%
Trade union and staff association membership with their presence	44.51%	31.81%

As shown in Table 11.1, one in five people (20.12%) in the full workforce said that they were members, compared with under one in ten (8.97%) among precarious workers. More than four in ten people (42.71%) in the full workforce worked at a workplace with trade union and/or staff association presence, compared with only a little over a quarter (26.09%) among precarious workers. All these estimates indicated statistically significant differences between the two populations.

Notably, trade union and/or staff association presence was virtually a prerequisite for individual membership (see Table 11.1). Among those who worked at a workplace *without* trade union or staff association presence, less than 2% (1.94%) of the full workforce and less than 1% (0.91%) of precarious workers were members themselves.

We were also interested in workers' views about the attitudes of their employer, manager, or supervisor (their seniors) towards membership of a trade union or staff association (see Table 11.2). Workers in the full workforce were significantly more likely than precarious workers to say their seniors were either in favour (full workforce: 22.33%; precarious workers: 17.66%) or not in favour (full workforce: 11.46%; precarious workers: 7.08%), whereas precarious workers were significantly more likely to say that they were neutral (full workforce: 65.40%; 72.94%).

²¹⁷ During the question testing we attempted to ask people whether they had a 'recognised trade union' at their workplace, but none of the precarious workers we tested this question with knew the answer and so we dropped this question from the survey.

Table 11.2: Workers' views on whether their employer, manager, or supervisor were in favour of trade union or staff association membership

Construct	Full workforce	Precarious workers
In favour of trade union or staff association membership	22.33%	17.66%
Neutral about it	65.40%	72.94%
Not in favour of trade union or staff association membership	11.46%	7.08%

We were also interested in how these views on seniors' attitudes differed based on whether there was trade union and/or staff association presence at the workplace. As shown in Table 11.3, where there was no such presence most people believed in seniors' neutrality (78-83%). Although neutrality remained the most common opinion even in workplaces with trade union and/or staff association presence (50-52%), the proportion of people who thought that higher ups were in favour increased dramatically (41-44%, versus 8% where there was no such presence).

Table 11.3: Trade union or staff association presence and workers' views on whether their employer, manager, or supervisor was in favour of membership

Construct	Full workforce	Precarious workers
No trade union or staff association presence		
In favour of trade union or staff association membership	8.28%	8.23%
Neutral about it	78.18%	83.49%
Not in favour of trade union or staff association membership	13.50%	8.26%
Trade union or staff association present		
In favour of trade union or staff association membership	41.18%	44.35%
Neutral about it	50.09%	51.94%
Not in favour of trade union or staff association membership	8.73%	3.72%

Next, we explored workers' views regarding trade unions and staff associations. Each respondent needed to select a response on a 1-5 scale ('strongly disagree' to 'strongly agree'), whereby higher values indicating stronger agreement (see Table 11.4). On this topic, there were no significant differences between the full workforce and precarious workers. Generally, UK workers seem to have mildly positive views about trade unions and staff associations, with values between 3.27-3.50 for each statement.

Table 11.4: Views about trade unions and staff associations (weighted mean scores with standard errors in square brackets)

Construct	Full workforce	Precarious workers
Trade unions and staff associations...		
...take notice of members' problems and complaints	3.50 [0.02]	3.44 [0.03]
...are taken seriously by management	3.34 [0.02]	3.27 [0.03]
...make a difference to what it is like to work at your workplace	3.33 [0.02]	3.27 [0.04]

Looking beyond these overall averages, workers who were members themselves had more positive views about trade unions and/or staff associations than did non-members. These differences were statistically significant. As shown in Table 11.5, these disparities appear even more pronounced among precarious workers, where members had more positive views (3.71-3.90) than members in the full workforce (3.47-3.65). Simultaneously, non-members were more critical among precarious workers (3.22-3.40) compared to the full workforce (3.29-3.47). However, none of these differences are statistically significant.

Table 11.5: Views about trade unions and staff associations (mean scores with standard errors in square brackets) and union and/or staff association membership

Construct	Full workforce	Precarious workers
Not a trade union or staff association member		
...take notice of members' problems and complaints	3.47 [0.02]	3.40 [0.03]
...are taken seriously by management	3.32 [0.02]	3.22 [0.03]
...make a difference to what it is like to work at your workplace	3.29 [0.02]	3.22 [0.04]
Trade union or staff association member		
...take notice of members' problems and complaints	3.65 [0.05]	3.90 [0.13]
...are taken seriously by management	3.53 [0.05]	3.79 [0.11]
...make a difference to what it is like to work at your workplace	3.47 [0.06]	3.71 [0.10]

Finally, we carried out binary logistic regression estimating the probability of individual membership of a trade union and/or staff association across a large set of explanatory variables. All partial associations highlighted in the table were statistically significant on the 1%-level. Yellow denotes associations that might appear statistically significant, but based on model fit assessments, do not improve the modelling. The baseline and deluxe models differ in that the latter controlled for trade union and/or staff association presence at the workplace.

For the full workforce and precarious workers alike, job permanence and trade union/staff association presence both had a statistically significant positive partial association with being a trade union and/or staff association member (n.b. presence was only included in the deluxe models). In simple terms, that means those in permanent jobs and those with co-workers who were members were both more likely to also be members themselves. 'Right to work' status also had a significant partial association, whereby workers born outside the UK were significantly less likely to be members than were UK-born British citizens (Table 11.6).

In the full workforce, having a disability and starting a new job in the last two years both had a statistically significant, positive partial association with trade union and staff association membership, whilst working at a small workplace had a significant negative one. Among precarious workers, age had a statistically significant partial association, suggesting that the older someone became the more likely it was that they were members, except for the youngest and oldest respondents who were less likely to be members (i.e. age-squared). Workers in receipt of state

benefits (indicative of in work poverty) were also more likely to be members than those who did not receive such benefits, all else being equal. Among precarious workers, we also found clear regional differences, with East Midlands (17.19%), Northern Ireland (17.09%), and the North-West (14.89%) leading in the share of members and Greater London (6.25%), Scotland (4.46%), and the East Midlands (0.51%) trailing. Among precarious workers, occupational class was also significant, with the upper/elite class significantly less likely to be a member compared to other classes (Table 11.6).

Finally, we consider industry-level differences for both the full workforce and precarious workers specifically. In the baseline models, we found significant differences across industries, however, these (largely) disappear once controlling for trade union or staff association presence, leaving no statistically meaningful difference. That suggests that membership is associated with the presence/absence of organised labour rather than any inherent characteristics of the industries.

Table 11.6: Binary logistic regression results for trade union or staff association membership

Trade union or staff association membership				
Variable	Full workforce Baseline	Full workforce Deluxe	Precarious workers Baseline	Precarious workers Deluxe
Age			sig. pos.	sig. pos.
Age-squared			sig. neg.	sig. neg.
Right to work	sig. diff.	sig. diff.	sig. diff.	sig. diff.
Disability	sig. pos.	sig. pos.		
Region			sig. diff.	sig. diff.
Industry	sig. diff.		sig. diff.	
Benefits			sig. pos.	sig. pos.
Occupational class			sig. diff.	sig. diff.
Permanent job	sig. pos.	sig. pos.	sig. pos.	sig. pos.
Small workplace				
New job	sig. pos.	sig. pos.		
Trade union or staff association presence	NA	sig. pos.	NA	sig. pos.

*Statistically significant associations ($p < 0.01$) with positive partial association marked by green colour and the text 'sig. +', negative partial association marked by blue colour and 'sig. -', and significant difference marked by orange colour and 'sig.diff.'.

Qualitative perceptions and experiences more broadly around trade unions, staff associations and other worker collectives

In this section, we present the core thematic findings around focus group participants' attitudes, perceptions and experiences in relation to trade unions, staff associations and other worker collectives. We analyse the data from across the six focus groups, comprising 50 participants in total. Before moving onto the specific themes, it is worth stressing a few overarching points. First, attitudes to trade unions were far more positive than negative overall: both at the group-level (all groups bar one skewed positive) and individual-level (negative sentiments were far outweighed by positive). Second, positive experiences outweighed negative experiences as a whole, but many had had limited exposure to trade unions in practice (in general or in recent years). Third, positive attitudes and experiences in general do not necessarily translate into current membership: as evidenced by only around a third being trade union members at the time of the groups. The specific themes around worker representation covered in this section gives insights into why this might be the case and shed light on gaps and opportunities to strengthen worker voice and worker representation in the UK labour market.

Trade unions widely seen as “personal protection”

Across the focus groups, trade unions were widely conceptualised as a form of “protection” for individual workers, or “personal protection” as some put it (Alysia and Katie, Group 1). Both non-members and members drew heavily on the specific language and broad concept of “protection”. As illustrated in more detail in the quotes below, this protective function appeared to be a central part of trade unions' appeal to workers:

“And currently I am a member of our trade union for kind of more personal protection reasons. If it did have to go into a meeting with management or anything did escalate to that point, I would always want the protection of the union behind me. So, that's, that's why I'm with ours currently.” – Katie (trade union member), Group 1

“I think I had it as a safety net...and it did protect me in quite a few situations. So, I think when you're young and you're in certain industries, it's definitely good to have something like that, you know, to protect your back.” – Maryam (trade union member), Group 4

“I think for me, if I was signing up to a union, it would purely just be on the basis of safety and security surrounding my job.” – Yasmin (non-trade union member), Group 5

Trade unions were widely framed as an institution there to protect workers' interests and represent them where these clashed with those of management or the business at large. We heard numerous characterisations that drew on adversarial metaphors, such as having “somebody in your corner” (Daniel, Group 6), “that's got your back” (Peter, Group 3) or who is “fighting your corner” (Amy, Group 2).

The idea of trade unions as “protection” was developed in one group through an analogy of trade union membership as being like “an insurance policy” (Group 6). There, Ben described seeing trade unions as like both “an insurance policy” and a tax for the “greater good”. The insurance analogy resonated with others too, with Paul expanding on that by emphasising the stark power differentials between individual workers (“just a little person”) and “big, huge conglomerate companies” in particular. Both points are illustrated in more detail below:

“What if I ever need them. It’s like an insurance policy. It’s like paying into insurance...But even if I never directly use it, I’d feel it’s almost like a, a tax that I’m happy to pay, that if someone else were to need to use it, that I’ve funded that system. Like the NHS, I’ve funded it, so someone else can use that service when they really need it.” – Ben (non-trade union member), Group 6

“The powers that they have, if you were to go against them on a personal nature, you’ve got no chance of winning anything really. So, like Ben said, I think it’s an insurance policy for people too – ‘cos you’re just a little person, and if you’ve got to go up against a big might then I think that’s when they come into their own, trade unions.” – Paul (non-trade union member), Group 6

Elsewhere, others alluded more indirectly to a similar function, for example by talking about paying dues “to make sure you’re covered” (John, Group 1), joining temporarily “anticipating that I might have some sort of issues” (Anna, Group 3), or seeing the trade union as “back up” (e.g. Rachel and Laura, Group 2). Having a trade union as “personal protection” was seen as particularly important in industries or workplaces that posed high risks to workers and/or were seen as too ready to blame or scapegoat when things go wrong. Examples given, some of which are illustrated in the quotes below, included healthcare, education, probation and the postal service.

“One of the main reasons that I’m with the union is the back-up if I ever make a mistake. I think in healthcare...because you’re dealing with people’s lives erm there is a lot more room for error.” – Laura (trade union member), Group 2

“I feel like the organisation that I work for, the, the culture is quite blame driven erm and that’s my key reason for joining and staying in the union at this time is that I don’t want that trickling down onto me at some point and not having that protection there.” – Katie (trade union member), Group 1

Overall, knowing help from the trade union was there if needed could be “quite reassuring” (Laura, Group 2) and give “peace of mind” (Sophie, Group 2).

Positive attitudes and experiences regarding trade unions outweighed negatives

In all groups bar one, the group coalesced around a broadly pro-trade union sentiment, regardless of participants’ current membership status. Group 5 (non-members in non-unionised workplaces) was the exception: here the norms were more pessimistic about the practical utility of trade unions, although still not outright negative. As well as the general emphasis on trade unions as “protection” (see previous theme), other recurrent positives in personal experiences related mostly to access to advice, individual representation and collective representation. There were also many participants, however, who were positive towards trade unions in principle but reported mixed experiences in practice. This tension might help explain why survey findings showed only moderately positive attitudes towards trade unions and staff associations on average. The negative aspects discussed varied but dealt largely with questions of efficacy rather than values: feeling let down in specific circumstances; perceived ineffectiveness; and negative exposure in management roles mostly. There were also some insightful discussions of counter-factual situations, i.e. reflections on what individual situations or broader working conditions would or could have been like with/without trade union involvement.

Aside from the overarching benefit of “protection” (see previous theme), those who had been or were currently members tended to point to three main positives experienced. The first was access to advice and support, particularly but not exclusively legal advice:

“In terms of the offering, the legal support is invaluable, because as freelancers, each time we move into a new project, we’re dealing with a new contract...but none of us are legally trained...one of the most important things for me is that I’ve got a union that I can approach for legal advice.” – Sarah (trade union member), Group 1

The second was individual representation in the case of problems, examples of which included injuries, disciplinary action, severance and discrimination. For example, Rachel (Group 2) described how trade union representation in a disciplinary “ultimately helped me to stay in my role... they were very, very helpful” and Paul (Group 6) described getting robust support to secure compensation for a serious injury.

The third was collective representation (e.g. on various workplace policies, redundancies, attempts at fire and rehire, and broader pay and conditions). Positive experiences here included “great bargaining power...in terms of like pay increases” (Nirav, Group 1), doing “something brilliant with our pensions” (John, Group 1), and addressing “pay deals and your health and safety issues” (Richard, Group 4).

Importantly, the reasons for joining or staying and perceived positives of trade union membership could vary depending on industry and workplace specifics (e.g. types of support offered, level of trade union power).

Examples were also raised where an absence of trade union presence or lack of individual representation was seen to have resulted in poor treatment that might otherwise have been avoided, mitigated or contested with trade union support. Here, examples included: Richard’s account of non-unionised colleagues at work being treated worse than their unionised counterparts; Tom feeling the absence of trade union support when a delivery company he couriered for failed to deliver on the promised welcome bonus (“If only there was someone who could help supercharge my argument, so to speak, with a union.”); and Charlie struggling without any representation with mental health amid difficulties in a previous role (“I really suffered a lot because I didn’t have anyone on my side”).

Various different reasons were given for “mixed experiences” around trade unions, with negatives tending to relate to questions of efficacy rather than values and focused broadly on: feeling let down on a particular issue (e.g. limited help with redress); issues with particular representatives; and seeing trade union power as limited and/or certain trade union action as excessive. As Maryam (Group 4) put it, the issue here was generally not “what trade unions stand for” but rather challenging their efficacy in practice: i.e. how well and how consistently they actually “protect the people they’re supposed to protect”. Although most members (or past members) skewed positive in their assessment of experiences on balance, for a few particularly negative experiences could leave a bad overall impression and disincentivise further trade union participation. For example, Jessica (non-trade union member, Group 6) spoke of her experiences as PhD student also doing low-paid teaching at the university. During the university strikes, she said she (and peers in a similar role) felt pressure to strike and yet excluded from access to the hardship fund, which left her feeling instrumentalised (being used “as sort of warm bodies” to strike) and unsupported (they “weren’t actually interested in representing or protecting our interests”).

A keen sense of declining trade union power

There was a keen sense across the groups that trade union power had declined in the UK, with many comparing the current situation to earlier times (especially the 1970s and 1980s) when trade unions “had tremendous power” (Sarah, Group 1). Many participants pointed to a sharp decrease in trade union presence and power over their working lives. A sense of declining power was associated with generational shifts, regional differences in trade unions’ legacy and certain industries being perceived as the ‘last bastions’ of trade union power. Illustrative of this perceived decline were statements like “unions have lost their teeth” (Calvin, Group 1), “their powers have been watered down to some extent” (Oliver, Group 3) and “the heyday of unions feels like in the past in this country. It feels like something from a previous era” (Jack, Group 6). Younger people and those outside traditionally union-dominated industries and industrial heartlands were seen as increasingly less influenced by trade unions, as illustrated below:

“I feel like it used to be a bigger thing...like in my, my parents’ generation, it was like a much bigger thing. It was thought of more. It was talked about more. It was more important.” – Natalie (non-trade union member), Group 5

“...virtually everybody that I worked with was in a union. I think it was like – I grew up in North Nottinghamshire, so lots of pit communities around me, and that was a big, huge thing as well. Lots of trades in North Nottinghamshire, South Yorkshire, you know, that area, people just seemed to gravitate towards unions. I think it was part of the culture where I grew up.” – Paul (non-trade union member), Group 6

Many saw trade union power as now being concentrated in certain public sector or ex-public sector industries (e.g. post-privatisation railways). Most saw trade union influence as greatly reduced overall elsewhere in the private sector, although some spoke of strong trade union presence they had experienced in certain areas of the private sector (e.g. retail banking). Intersecting with questions of permanence (discussed later in the chapter), Charlie explained this decline in power in terms of macro-level changes in the labour market, fragmentation, increased precarity, and the loss of a “job for life”:

“I think it’s also the nature of the economies. There used to be, you know, lots of big, established businesses that were there for life, that employed huge numbers of people. You’d have a job for life. That’s now sort of gone or dying and, you know, there’s much more flexibility, much more small companies, much more gig economy. You know, so outside the public sector...you’re less likely to join a business, be there forever, be in the union, etc.” – Charlie (non-trade union member), Group 5

Relatedly, some participants described witnessing declining trade union power within the same sector over decades. For example, Paul (Group 6) spoke of the trade unions having “just become kind of very quiet in the construction trade” over the years, compared to his early days where being a member was “the done thing” and trade unions had considerable power – “especially when an accident happened”.

Where raised at all, views diverged on how relevant and necessary trade unions were seen to be today, compared with in the past. A few participants characterised trade unions effectively as a relic as a bygone era, particularly in light of limited rights for certain groups of workers (particularly dependent contractors classed as self-employed) and/or difficulties accessing remedy:

“I don’t see the benefits of unions anymore...in small companies anyway, because if companies want to get rid of you now, they can just get rid of you. I mean, at the end of the day, it takes so long to take a company to a tribunal, and the hoops that you have to jump through to even go to a tribunal, with the courts and everything, a lot of people just give up, to be honest with you.” – Joseph (non-trade union member), Group 5

That view was, however, less common than to see trade unions as far less influential but still important and necessary today, sometimes even more so given the precarities of the modern labour market and associated need for “strength in numbers” (Sarah, trade union member, Group 1).

Finally, while some looked back to the 1970s and 1980s in a positive light as the ‘golden age’ for trade unions, a few others said the disruptions and politics of that time had initially put them off trade unions. Yet, attitudes were complex and could evolve, as illustrated in Steve’s changing view below:

“I wasn’t a fan of the [miners’] strikes. It was causing power cuts... But erm I’ve since become pro-union because of the erm work they do. I mean, we wouldn’t have weekends, we wouldn’t have holiday pay, we wouldn’t have sick pay. There’s so many good things that they’ve done, and they need to be protected.” – Steve (non-trade union member), Group 3

Anti-trade union stigma, silence and pro-trade union norms

Despite participants emphasising the value of “personal protection” and broadly coming across as sympathetic towards trade unions, the discussions also pointed to two important but opposing social dynamics in workplaces (and society at large): anti-trade union stigma and pro-trade union norms. The two can effectively be seen as two sides of the same coin, and we deal with them in turn, also discussing how not just stigma but also silence can be the counterpart to pro-trade union norms.

Stigma was frequently put forward as a barrier to trade union membership, sometimes the biggest barrier. That jars with the survey results about neutrality being the predominant position among bosses. In the focus groups, stigma was mentioned directly but more commonly evoked across groups through references to workers not wanting to “rock the boat” (e.g. Zainab, Group 1; Oliver, Group 3, Joseph, Group 5) or be seen as “troublemakers” or similar (e.g., Tony, Group 5, Matt, Group 5, Oliver, Group 3, Emily, Group 2). Some suggested that stigma was reinforced through “bad press” (Steve, Group 3). The quotes below speak to the perceived importance of stigma in dissuading people from joining trade unions, or even more so, attempting to form trade unions in un-represented workplaces:

“It’s, it’s the stigma of it. I still think there is a stigma that, that you know you’ll possibly be too outspoken, or you could be trouble. You could be demanding.” – Emily (non-trade union member), Group 2

“I think some people erm perceive the desire to speak up, challenge managers, challenge opinions as rocking the boat, and they can be fearful ... Several don’t want to rock the boat or be seen as troublemakers.” – Oliver (non-trade union member), Group 3

“I think there’s still that little voice in the back of people’s heads that unions are for causing trouble rather than support.” Matt (non-trade union member), Group 5

Some participants appeared to see stigma as a problem primarily affecting *other* workers, whilst others spoke of ways they had been directly impacted themselves by stigma or hostility towards trade unions more broadly. Examples given included not feeling comfortable disclosing membership at work (I don’t go around openly telling people I’m in the union. I don’t discuss it.” – Sophie, Group 2), negative reactions to having trade union representation in meetings (“It’s kind of looked down upon, almost, to take that route”, Rachel, Group 2) and managers who reacted badly to trade union membership. In terms of the latter, the following quotes from John and Emily are illustrative:

“The union I’m in, it’s, it’s kind of more popular with academics, so not a lot of IT people are in the UCU [University and College Union]. So, when we do go on strike, I will often be the only person in the team going on strike, and you do feel a little bit erm out on a limb. Ehm, I’m totally entitled to do it, but erm I do know that managers in the past have really frowned upon any sort of union membership, and especially upon going on strike.” – John (trade union member), Group 1

“I remember one of my first jobs and telling my employer that I was very proud of it, I was 17, you know, “I’m a member of a union, a workers’ union”. He was furious. The reaction from him was really bizarre. You know, “why would you want to do something like that”? [I was] just like “that’s what you do to keep yourself protected. I know my rights”. He called me names. He was quite rude about it... He felt very threatened, I think, that I felt protected.” – Emily, (non-trade union member), Group 2

Alongside stigma, there was silence: with trade unions simply not discussed in certain workplaces. For example, some participants talked about starting out as young workers in workplaces where there was a total absence of conversations around trade unions and as a result not being aware of what trade unions were about:

“...it was never spoken about... I was young at the time, no one even spoke about unions. We probably didn’t even know what it was.” – Fiona (trade union member), Group 1

“Prior to the civil service, I was in hospitality and I never had a conversation about unionisation at that point, or if there was one, where I would go for one...I never had that conversation there, so it just wasn’t a thought.” – Lauren (non-trade union member), Group 3

Fiona (quoted above) described an NHS hospital as later being her first workplace “that allowed unions or anything like that”. Here, the phrasing (“*allowed* unions”) and context of her previous experiences of institutional silence speaks to how such silence can function as a subtler form of suppression of workers’ right to unionise. Silence did not just affect younger workers either. For example, Yasmin (Group 5) described transitioning into a small company where “the union doesn’t even exist to us, you know, and [is] never spoken about”. Importantly, workers who have never been exposed to trade unions may *simply not know what they don’t know* and not even think to ask about collective representation:

“A person who’s been in a union previously and that union doesn’t cover that place of work, you’re probably going to ask, you know, “What union represents workers here?” But if you’re not a unionised person, you’re going to walk into that place, if no one doesn’t mention it to you

or you don't see no erm marketing materials about a union, you're less likely to ask." – Calvin (trade union member), Group 1

This point is particularly important given the context of the age-related findings of the Working Lives Survey and widespread perceptions in the focus groups that young people in particular are less likely to know about trade unions (discussed in the fourth section).

The flipside to the emphasis on stigma and silence was pro-trade union norms, into which various participants described being socialised in their upbringing and/or workplace. In such contexts, trade union membership was more likely to be seen as normal, acceptable and even actively encouraged. Based on participants' personal experiences, many had joined trade unions as a direct result of pro-trade union socialisation at home and work. That included both accounts of "day one" (Paul, Group 6) socialisation into trade unions (particularly in historically trade union-dominated industries like shipbuilding, construction, the postal service), trade union involvement in inductions (including in retail), and colleagues' encouragement to join (e.g. in healthcare, education, retail banking and beyond). The following quotes from John and Richard are illustrative of the normalised and expected culture around trade union membership that many people described:

"I worked for the council...and yeah, I felt that that was frowned upon if you didn't join the union, 'cos it was so unanimous. Erm, all the team leads, all the managers, it just seemed like everyone was in the union. Erm, yeah, so I joined and went along with it there." – John (trade union member), Group 1

"I worked for the Royal Mail for a good 20 years, and when I started, we had the same thing...as soon I arrived, the union was there, and you were signing the forms. It was a very, very strong union at the time, CWU [Communications Workers Union]. As a 19-year-old, very naïve, I just joined it." – Richard (trade union member), Group 4

Some participants described experiencing or witnessing pressure to join as protective, some as more problematic ("heavily like pressurised" – Yasmin, Group 5; "they did push it hard", Charlie, Group 5) and some as something in between.

Perceptions of the relevance and necessity of trade union membership

It was clear from the focus group discussions that relevance and necessity are both important concepts in understanding individual decision-making around trade union membership. They were intertwined but not equivalent: for example, someone could see a trade union as relevant to their industry but joining as unnecessary personally, or see trade union support as much needed due to poor conditions but ultimately largely irrelevant for workers with scant legal rights and recourse (such as bogus self-employed workers). Here, we deal with relevance and necessity together as they were so interwoven in discussions but draw out distinctions where clear. Importantly, both are better seen as on a spectrum than binaries: i.e. whether trade unions were *sufficiently* relevant/necessary to justify risks and costs (see also themes on stigma and (in)affordability). Other discussions strongly emphasised the importance of context and subjective assessment. Thus, in some contexts joining could be a "no brainer" (e.g. Nirav, Zainab), in others it was not seen as worthwhile or just as completely inapplicable (e.g. "I work largely by myself...absolutely no situation really will ever come up where I'll need my own trade union or representation", Ben, Group 6). Sometimes neither perceived need nor relevance was there, helping explain why some of the participants who were very positive about trade unions in principle were not members in practice. For most, reasons for joining, leaving and staying in trade unions were context-dependent (e.g. "The reasons I joined one union were

very different to the other” – Alysia, Group 1). Context is multifaceted and can encompass different dimensions: individual (e.g. socioeconomic circumstances, age, political beliefs); social/environmental (e.g. anti-trade union stigma, pro-trade union norms, work-related risks); and structural (e.g. actual labour rights for a given employment status).

There were frequent discussions of situations where participants saw or did not see sufficient relevance and/or necessity to join or stay in a trade union, with language of “need” recurring frequently and of “relevance” somewhat less so (questions of (ir)relevance often came through more implicitly). The quotes below speak to how need and relevance are closely bound up with context and affect joining decisions (e.g., life stage, permanence or particular issues encountered):

“But because the turnover’s quite high, you have to do something pretty heinous where I am to get sacked, so union presence is virtually non-existent where I am because I think people just don’t feel the need about it and people don’t talk about it, and people don’t really feel like it’s going to do much really where we are.” – Lara (non-trade union member), Group 5

“So, I joined [major retailer] when I was 16, so I was very young, so when the trade union did come in and obviously provide that whole presentation for all of us, for me personally, I think I was in a stage where it didn’t seem very relevant to – you know, it was just like my first part-time job, it wasn’t like going to be a career for me.” – Yasmin (non-trade union member), Group 5

“Sometimes it can be about how relevant erm the individual sees it. Erm, I think sometimes younger people don’t always see the relevance of unions, erm until they get themselves in a bind and then they see the relevance of the union then.” – Calvin (trade union member), Group 1

Based on the personal experiences of those who chose not to join trade unions (ever or at particular jobs or points in time), both relevance and necessity were very important. There was less of a sense of necessity where participants had few concerns or did not have “anything to gripe about” (Lauren, Group 3), were relatively unbothered by the job insecurity, or felt able to address concerns well with managers. That contrasted with those seeing their jobs as high-risk and feeling a real need for “personal protection”, for example.

Where participants felt trade unions were simply inapplicable to their working realities (e.g. many self-employed workers) or that trade union action would change little anyway, then a trade union appeared less relevant (e.g. because of limited employment rights and protections and/or difficulties accessing redress even with trade union support). That contrasted with those who had worked in contexts where there was (or is) considerable trade union power and the impact on pay and conditions was (or is) much more obvious. The quotes below illustrate some examples where participants said they did not join due to perceived relevance and/or need being lacking:

“I’ve never erm paid into it because I just come in, I do my job and go home. Ehm, if I’ve got any issues, I just go to my boss and it gets sorted...Although I work in a school, I don’t strike like the teachers, ‘cos I work on the other side, so I just come in, do my job and go home. I’ve never had issues.” – Rose (non-trade union member), Group 3

“I work part-time in retail. It’s my first job. And I haven’t really had any issues with it, hence why I haven’t like thought to join a trade union. So, like I haven’t joined one. I’ve heard of it. Some of my colleagues are like with them, but I’m not with them because I haven’t really thought to join it.” – Khadija (non-trade union member), Group 4

“I feel like my sort of reason, and I guess a few other people that I know that I work with’s reasoning for not joining one is kind of what Lauren said, they don’t really have a reason to. There’s not any sort of like major issues at work that would sort of spur them onto to join one. Perhaps if there was, it would be kind of different.” – Nicole (non-trade union member), Group 3

In contrast, in contexts where conditions were experienced as problematic or harmful, the need could be there, but relevance was highly contingent on whether participants thought trade unions could actually help them (e.g. due to conditions being experienced as harmful but not necessarily illegal, limited rights due to employment status, or a firm’s anti-trade union stance). The following quotes are illustrative:

“I think some of the managers like interpersonally it can be quite horrible, and some of the working conditions can be quite horrible, but unfortunately I don’t know if a union could help ...So, trying to draw that line between like when is it bad working conditions and when is it just the nature of this specific job, it’s, it’s complicated.” – Lara (non-trade union member), Group 5

“We’re self-employed drivers...it is a hire and fire, and you don’t get a second chance with them, you’re out the door. They don’t recognise unions... As a self-employed driver, I would just be seen as, “Right, you’re no longer needed. You can take us to court if you like”. – Graham (non-trade union member), Group 4

A ‘critical case’ related to Daniel (Group 6), who did remote AI work in the UK for a US company. His situation in relation to trade unions was extreme: precariously self-employed in an insecure digital supply chain, based in a different jurisdiction, and “very, very disconnected” (see also Chapter 8 for Cleo’s experiences in a similar set up). He was not sure whether or how breaches of labour rights could be enforced in this situation (“I suspect there’s nothing they can do really”) and effectively felt this was a risk he had to shoulder²¹⁸:

“The company is very – well, I wouldn’t say uncontactable, but they’re very much at arm’s length, and I think it’s their intention (laughter) to have their work done at arm’s length. So, the detachment just feels like it’s so big that there’s not anything that a union or help could do if something happened anyway. It just feels too, too far away. But I suppose to an extent, it kind of just feels like my risk to run.” – Daniel (non-trade union member), Group 6

²¹⁸ While UK labour law would likely still apply to him, the situation is potentially really complicated to enforce and likely occupies a grey area if the company in question is not registered in the UK at all.

Finally, one point alluded to fairly often was that the trade union was there and could be joined *if needed*, as illustrated in the quote below:

“If I had a serious issue, I’d have to go straight to a union, it’s as simple as that. There’s no two ways about it. I’d have to suck it up, pay for it and, and crack on with it.” – Peter (non-trade union member), Group 3

Given that trade unions often have restrictions on what support new joiners can access for a problem predating membership, however, some workers may be operating under a false sense of security about potential back up available. In contrast, some participants with more experience of trade unions stressed the risks of waiting until a critical need arose and then having to “hope that they’ll do a retrospective case” (Graham, Group 4).

Affordability of trade union membership: absolute cost and relative value

Affordability of trade union membership came up frequently, with discussions pointing to two core dimensions: absolute cost and relative value. Participants suggested that for some workers (especially precarious young and/or migrant workers) membership could be simply unrealistic financially (absolute cost). However, in-depth discussions often centred around trade-offs, competing needs and priorities, relevance and necessity (together speaking to relative value).

Absolute cost was said to preclude some workers who potentially need trade union support the most from accessing it. Here, tensions were noted between pressing immediate needs and “protection” against worst-case scenarios, which could leave these workers exposed:

“It’s not until you need them that you realise, “oh I’d better start paying this”. It doesn’t come free...I understand what Richard is saying, people having to put food on the table or paying £15 a month for a union. You wouldn’t be putting food on the table if the company has pied you off²¹⁹ and you don’t have a union to support your fight.” – Graham (non-trade union member), Group 4

How participants discussed their own decision-making proved insightful, particularly at the sharper end of low income. Here, Alysia’s account emphasised a very fine line between membership being outright unaffordable and requiring increasingly difficult trade-offs and calculations around actual added value:

“I think when I was on erm a really low income, I was on a sliding scale... I don’t know what it was, £8 a month, it was something reasonable. But if you are not earning very much or your earnings fluctuate, that can – like your cost of living can change one month to the next, and suddenly like £8 is a lot because it’s the difference between like a bit of food shopping or not...if you’re paying £8 and you’re thinking, “I don’t really have a lot of money,” it feels like, “Well, what am I really getting for this?” If it’s just insurance in case my boss does something horrible, it feels really like begrudging to pay £8 for that.” – Alysia (trade union member), Group 1

²¹⁹ Ditched you or otherwise treated you badly.

She also spoke to difficult ethical tensions around “wanting to support the work of the union” but sometimes feeling “like you can’t afford to have like really good morals when you’re, you know, like living pay cheque to pay cheque.” She also explained while her dues were more expensive in her current role, the value was also more obvious as she got insurance for her musical instruments included (“I actually get something for it regardless”)²²⁰.

Similar challenges resonated in John’s articulation of how he weighed up the cost and benefits of trade union membership, particularly amid rising prices. He worked two jobs (part-time employee at a university and self-employed in the gig economy). While he said he could just about justify the value of membership for the former, for the latter he framed it as “just not worth the while”, despite or because of very low pay:

“I’m on about £24,000 a year, when you take into account my main job, and I’ve got a little bit of freelance work going on as well, and yeah, when money’s tight, you look at everything. And I, I do keep thinking about leaving the union, I must admit. It’s been good to come today because I was thinking about the union and all the benefits, and I probably won’t leave, but it does seem expensive and, yeah, when everything’s tight. For my freelance job, which is a bit of [name of major company], delivering food, I just haven’t joined a union at all. It’s just not worth the while. I’m getting paid probably less than minimum wage on that anyway, erm yeah, so I just haven’t bothered at all with that one.” – John (trade union member), Group 1

Lara described conditions at her work as “like a very hack and slash call centre, very focused on targets, very focused on numbers, insane workloads”. Her account (see also quote below) indicated that the necessity for a trade union was there, but there were issues around both affordability of membership and relevance (the latter due to perceived limits to what it could achieve). Like Alysia, she also spoke to navigating difficult tensions between moral commitments and financial costs:

“It’s complicated ‘cos I think sometimes I do have that urge – I have a very strong sense of justice personally and I do have that urge to see my company get held accountable, but I’m not sure that a union will do it. Erm, like I’m not 100 percent sold on the promises, especially the cost kind of irks me. I’ll be the first to admit, I’m a very money driven person, just because my partner can’t work and is disabled, so I kind of have to be a money driven person, so I can’t justify the cost for what it is, and it seems like niche situations that it would actually help in.”
Lara (non-trade union member), Group 5

Additionally, Lara described additional difficulties navigating the labour market as someone who is neurodivergent: “like I have ASD [autism spectrum disorder], I’m on the spectrum, and I know if it’s a scary number of us that are out of employment, and I never thought I’d find a job”. Now wanting to know her labour rights, she described being torn between thinking “it could be nice to have like an actual person to talk to” versus being able to look things up herself online “for free”.

²²⁰ While for her this insurance was clearly a core part of the value equation, a few others also noted the benefits of “extra perks” (Sarah, Group 1) included with membership (e.g. free wills, discounted travel insurance). At the lowest-paid end of the economy, however, those could be luxuries too.

Beyond absolute cost, there were also lots of people who spoke to trade union membership not being “worth” it for their own particular context (e.g., “it’s not really worth the money...it’s a case of what they bring to the table” – Maryam, Group 4). This ties back to the previous section on relevance and need and is illustrated in more detail below:

“I think the concept of it [trade union] is a good idea...I’ve recently just joined the hospitality industry. So far with pay and working hours and stuff like that, I’ve had no issues so erm in terms of that. Obviously, a couple of people who I work with are part of it, and they basically as well say it’s a lot of talking and stuff like that, and not much action. So, for me, it’s not really, I don’t see the worth of joining it, especially because of that and because I’m not experiencing any problems so far within the industry.” – Noah (non-trade union member), Group 4

Perceived poor value for money sometimes linked to disagreeing with the trade union’s core demands but more commonly to a frustration at perceived lack of results (linking back to the prior theme on declining power): “I feel that they don’t actually have much like teeth” (Rehana, Group 3) and “it’s just a lot of shout, a lot of noise” (Patricia, Group 4), “nothing really ever changes” (Lauren, Group 3). Interestingly, reasons for perceived ineffectiveness were rarely put forward here, but time constraints also precluded further probing.

Considerable uncertainty and mixed views around staff associations

We also explored how participants understood, perceived and experienced staff associations, particularly in contrast to trade unions. We found considerable uncertainty about what staff associations were and they were rarely discussed in depth, even among those who indicated that they and/or colleagues were members during the recruitment screening and pre-group questionnaire. This indicates that the terminology of staff association in itself is poorly understood, which also echoes the findings of the survey testing (discussed in the introduction to this chapter). Staff associations were only discussed in detail in certain groups, as others lacked familiarity. The term was interpreted inconsistently and just two examples cited involved formalised, company-wide worker representation structures (or, as Matt put it, an “internal union sort of thing”) of the sort we had hoped to learn more about²²¹. We examine these anomalous instances as ‘critical cases’, highlighting some concerning dynamics. Overall, “staff associations” were variously interpreted as different groups, networks and services internal to a company, particularly associated with protected characteristics. A few understood the term as covering *external* organisations (e.g., representing workers in an industry). Although various benefits to staff associations were mentioned, few related directly to workers’ rights: leaving question marks around the potential mechanisms for addressing labour market non-compliance and emphasising the risks of conflating *independent* trade unions and staff associations²²² in survey measurement (see also Chapter 12).

²²¹ To learn more about how workers themselves were interpreting the term “staff association” and the extent to which these were seen as opt-in phenomena, we had recruited for one group of people who identified as staff association members in a company with a staff association and one group of people who identified as non-members in a company with a staff association. Within the other four groups, some participants also identified as staff association members.

²²² Staff associations cannot be **independent** trade unions. To recap on the earlier explanation, although they may in some cases meet the legal definition of a trade union under the 1992 Act and may be listed with the Certification Officer as a trade union, even then they cannot have a Certificate of Independence from the

We found participants interpreted staff associations in much broader and more varied ways than we had intended (see Introduction section for our working definition for this part of the research). They used the term to cover various employee networks (e.g. for LGBTQ+ staff), workplace champions, special interest groups, and even an internal whistleblowing service²²³. Despite this ambiguity and inconsistency, only a couple of participants explicitly said they were unsure what constitutes a “staff association”, as illustrated below. The unclear boundaries contrast sharply with a broad (albeit not universal) familiarity with at least the basics (and often considerable detail) of trade unions.

“Yeah, I mean, we’ve got a few networks. They’re not so much staff associations, I’m not sure what the definition of staff association is.” – Nirav (trade union member), Group 1

“I’m not 100% sure exactly what a staff association requirement is...it’s not a term that I’d actually been used to from my previous career.” – Graham (non-trade union member), Group 4

We now focus on a ‘critical case’ relating to staff associations. Amy (Group 2) worked for a major retailer with a formalised company-wide staff association. She described being a member of that by default and of a trade union by choice and her experience of both enabled useful comparison of their perceived relative merits and limitations. From her experiences, she felt the staff association was “very much on management side” and “their priority” was the company “not the worker”. She was deeply sceptical about the extent and meaningfulness of consultation with elected worker representatives on the staff association, conceptualising this process as being largely about signalling consultation so as to legitimise and rubber-stamp policies to workers’ detriment (e.g. family-unfriendly Christmas working hours). However, her views were complex, also stressing the staff association “do help a lot of people” and support workers to some extent, but would not “go out of the way to fight your corner” as she trusted her trade union to do. She also said she would not trust the staff association to keep workers’ concerns confidential, suspecting they would report back to management. In contrast, she expressed high trust in the trade union and its protective and supportive function. Her descriptions of the troubling dynamics of the staff association cautions against conflating trade unions and staff associations in survey measurement and raises questions about the use of staff associations to undermine trade union presence and power. Indeed, she also described a broader pattern of trade union suppression, including blocking trade union access to staff and premises, seeing a trade union representative physically ejected from a store (“It was bad, really bad”), and ongoing attempts to “wean the union out” after the retailer took over a sub-contractor with much stronger trade union presence (and workers with “a lot more rights than us”). Unsurprisingly, she characterised the retailer as overtly anti-trade union: “They don’t want the union to be involved, basically. They don’t like the union”.

There were occasional other references to other internal structures as a way of discouraging unionisation. Most notably, Joseph (Group 5) described his company implementing a monthly “workplace forum” and anonymous surveys to signal consultation and reduce perceived need for unionisation: “they try and do things so that then they don’t have like, you know, the unions in the workplace.” Like Amy, he was unconvinced as to the value of such softer worker consultation in improving conditions: “They say that they take it on board and do stuff, but I’d like to say that really it doesn’t. Nothing really changes”.

Certification Officer providing that they are free of management control. Accordingly, their powers are much more limited, and they are not independent of management.

²²³ <https://www.england.nhs.uk/ourwork/freedom-to-speak-up/>

The closest comparator to Amy's experience was Matt's (Group 5) experience of a similarly formalised, company-wide staff association when he used to work at a "massive multinational company". He described this staff association as "essentially, it's like an internal union" and "very informal", with workers deciding their own levels of engagement (illustrated in the quote below). In contrast to Amy, he identified no tensions, had no trade union experience in the same setting to compare, and spoke in positive terms. It may indeed have been a better set up, although his vaguer phrasing also implied some distance (e.g., "that seemed to work for them", "they'd be able to back you up against your manager or whatever"). Overall, his account (as compared to Amy's) indicates he was likely less exposed to and invested in its operations and might have been less impacted by any tensions had they existed.

"You didn't have to join. They were just kind of there, and if you had an issue you could go to them and talk, erm or there were regular meetings and you could attend if you wanted to". – Matt (non-trade union member), Group 5

Finally, some participants described various other internal structures (albeit not formalised "staff associations" as we would understand it) in positive terms. The perceived benefits were fragmented and highly varied, including networking, social events, career development, awareness-raising on protected characteristics and wellbeing. Notably, only the latter has a clear association with labour rights or work-based harm. Rare examples of such mechanisms included an informal staff association securing improvements on pay and staff networks for groups with protected characteristics helping shape sickness absence policy.

A varied and fragmented picture on other sources of support

We were also interested in finding out about other mechanisms for workers organising informally, giving and getting support, and expressing voice. The aim here was to learn about additional structures that might exist also to help address labour market non-compliance and other work-based harms. Consequently, we also posed the broad exploratory question to the groups, "Are there any other groups or networks you can draw on in dealing with problems or challenges at work?". Responses shed light on a diverse but highly fragmented set of other organisations, groups and networks that participants said they had used or would consider using. Only some of these could be understood as mechanisms for worker organising and worker voice and there was little coherence here, with only occasional mention of each²²⁴. The most frequently mentioned sources of support were formalised structures: Acas and Citizens Advice (although some other organisations got occasional mention²²⁵). Even Acas and Citizens Advice were only raised in half the groups, however. They were mostly framed as something participants had heard of and would consider using, rather than services they had personally used. As with the interviews (see Chapter 9), no state enforcement bodies were mentioned at all. Finally, AI (ChatGPT) featured as a possible emergent source of consultation on labour rights. Overall, it seemed that different sources of support could be useful in

²²⁴ These included informal groups or forums at work, workplace or external WhatsApp chats, Facebook groups and Reddit forums. These could be a place to seek and share advice, get informal support or discuss conditions. Overall, these types of social resources were perceived as useful by some but were not prominent across the groups by any means, and some were characterised as "quite niche" (Peter, Group 3).

²²⁵ Other external sources mentioned occasionally as having been broadly helpful were specialist charities (e.g. Pregnant Then Screwed for maternity rights), the Equality Advisory Support Service, industry-specific regulators and professional guilds. A couple of people also mentioned work-associated employee assistance programmes.

different contexts, being free or low cost was perceived as important, and other services were seen as a useful backstop for unrepresented workers. Yet, there was no suggestion these alternatives offered equivalent protection at scale to trade union representation.

There was also one ‘critical case’ worth flagging here that related to informal worker organising and voice. It came from Graham, a part-time courier driver for a multinational corporate giant. He described “underhand” dynamics around corporate surveillance of a designated “private group” on Facebook for local drivers in one city, which had “about 800 members...so it gives you an idea how many folk are registered to drive with [retailer name]”. The group apparently started and initially functioned as a private space for highly precarious workers to discuss work-related issues and organise informally. The broader context matters here too: Graham had described a large but disempowered workforce, a “fear factor” for many, very limited rights, a norm of “hire and fire”, and the company having “staunchly fought against the unions”. This once useful group for informal organising, we were told, had become largely inactive after workers found out management had “joined it under pseudonyms” and were using it as a site of surveillance, as illustrated below:

“I mean, we weren’t, the guys weren’t being derogatory about [online retailer]. In some cases they were, because obviously there was things they were nae [not] happy with. But I think most people now realise that that group has been compromised. Even though the admin runs it and he’s a driver, he didn’t realise that people were coming on weren’t drivers – they were management. At the end of the day, they wanted to know what was being said. Rather than just ask us, they thought they would do it a different way, which I thought was a bit underhand. Well, I think it was underhand. Simple as that. But that’s social media for you.” – Graham (non-trade union member), Group 4

Finally, and potentially speaking to an emergent trend in how workers assert their rights, AI (ChatGPT) was mentioned in two groups, although even then only by a few people. Most notable here was how two participants (both in their 30s) talked about using ChatGPT to check on their labour rights. Both were aware of potential errors, but Chiara (Group 2) described using it to quickly triage what she could then follow up with her trade union (“it’s always the quickest way to get the answer.”) and Sophie (Group 2) said she would check for accuracies and explained the cost-accuracy trade off in more detail in the quote below. A third participant in another group spoke of co-workers increasingly using ChatGPT to search up on legalities and draft letters to address non-payment by clients, for example.

“Obviously, I know sometimes they [ChatGPT] can get things a bit wrong and things like that, but it’s, it’s quite scary how much you can find out within a very short amount of time. Obviously, I would like try and double-check my, you know, references and all that kind of stuff, but I think I would go to ChatGPT first... Because, obviously, lawyers are like, you know, very, very expensive. They will be right, and they will give you the right advice, but at a very high cost. ChatGPT, you literally just type in, “What are my rights in relation to x, y, and z?” and it will give you the, the information you, you need.” – Sophie (trade union member), Group 2

As such user-friendly AI technologies become increasingly mainstream, one area for further exploration could be how workers use AI to help understand and assert their labour rights and what the benefits, risks and outcomes are.

Qualitative reactions to key quantitative findings about individual membership

This section now examines how the focus group participants (50 people in total, across six groups) sought to explain patterns in individual membership of trade unions and/or staff associations identified through preliminary²²⁶ survey findings from the Working Lives Survey.

We offer explanations for five factors that, based on the preliminary survey findings, appeared to have significant associations with trade union and/or staff association membership, namely: age; job permanence; industry; size of workplace; and migration/'right to work' status. It is important to stress that some of these associations are now only present for some of the models and only for certain populations. In the final models, trade union and staff association presence, job permanence, and right to work status (UK-born vs others) seemed to matter the most for trade union membership for both the full workforce and precarious workers. Starting a new job and a disability status mattered for the full workforce and age, region, taking benefits, and occupational class played a role among precarious workers.

Very few of the focus group participants were surprised by the five factors and almost all had definite views on what might explain the relationships observed. In addition, when we explored age, job permanence, industry, size of workplace, and migration status, explanations from focus group participants often hinged on combining factors: that reflects a clear sense of intersectionality in how they approached these issues. So, for example, age, permanence and industry were often discussed together. There were also some common threads used to explain membership levels across the five different factors. Conscious of this complexity and overlap, we will now discuss each of the five factors in turn, before finishing this section by identifying two factors (health/disability and geography) that were not initially flagged by the preliminary survey data that some of our focus group respondents (in hindsight, rightly) had expected to see.

Notably, reactions and explanations in the groups focused overwhelmingly on membership of trade unions (rather than of staff associations), which speaks at least partially to participants' relative lack of familiarity with staff associations as a concept. That also echoes findings from the survey question testing, in which participants (all precarious workers) did not particularly know what staff associations were but also did not feel they needed to know to answer the questions about membership and attitudes of a "trade union or staff association".

²²⁶ Please note, preliminary analysis was based on weighted Public Voice Survey data only as weights from the Understanding Society survey were still outstanding at that point.

Age

There was a clear sense amongst respondents, across all six focus groups, that young workers often had more limited knowledge and awareness of trade unions. For example, Sophie (now a trade union and staff association member) used first-hand experience to explain her limited knowledge and “naivety” when she was younger had stopped her from joining a union even in the face of an exploitative employer:

“I wish in one of my old jobs I joined a union. I think one of the reasons was, is because I was quite young and inexperienced. And I just went in there with naivety, and looking back, there were so many things that were a bit wrong...This is just one example: we had 15 hours shifts, sometimes with like no breaks. We were allowed to have breaks with the service users, but we weren’t allowed breaks for ourselves. And then they said, “because you signed a contract, you have to be okay with that”. And I’m thinking, well, surely the law is higher than this contract, but I didn’t have any backup, so I had to kind of go along with it. Erm, and I probably wouldn’t so much now go along with stuff like that, or I’d seek advice to make sure that was legit and above board, for example. Ehm, but back then, it was a different, different time and different headspace. You know, I wish I had somebody telling me like that’s okay or that’s not okay, you know, that kind of thing”. – Sophie (trade union member), Group 2

In a similar vein, Rose (not a member of a trade union or staff association) drew on insights from her own family to illustrate how younger people may not be aware of trade unions:

“If I said to my daughter, “Is there a union at your work?” She’ll say, “Well, what’s that?” It’s not something that’s ever been promoted at her work, I presume, or erm it’s just one of them things that we grew up with. It’s what we know, there’s a union. But I just don’t think the younger generation are aware that there are unions around, and they’re certainly not promoted when you get your contract”. – Rose (non-trade union member), Group 3

The lack of trade union awareness when starting out at work is something that many others mentioned, and some (like Rose) also emphasised a generational shift involved. For example, Graham (currently neither a member of a trade union nor staff association) compared his own experiences to those of his son:

“I was 16 when I joined, started in the shipyards and it was the first thing that was put down in front of me was a union form. It was a view that you joined the union. They were very militant; they did fight your corner. My son joined the same industry that I was in, and he didn’t join the union, because he didn’t think it was worth paying the money for. Not because he couldn’t afford it, he just didn’t think it was worth paying the money for...it’s a generational thing. It’s maybe more of a transient workforce as well, they move around a lot more, especially in IT. It’s very fluid. Whereas my generation, you tended to get a job and with a bit of luck, you stuck at it, and you saw it through until retirement.” – Graham (non-trade union member), Group 4

Graham's comparison flags the importance of age and connects low membership to labour market flexibility and the erosion of a 'job for life' career pathway (see also following section on job permanence). Graham's quote also captures a view that young people are less able or less willing to pay for trade union membership. Others held this view too, as illustrated in the quote from Anna (neither a trade union nor staff association member) below:

"Some of my colleagues who are more kind of entry level, and maybe just out of university and stuff like that, erm and it's their first jobs, they are more interested in how much money they're getting at the end of the month as opposed to what deductions are coming out of it, so they probably don't see the benefit of opting into a trade union". –Anna (non-trade union member), Group 3

The issue of financial costs, alongside limited knowledge and awareness of trade unions, were at the heart of explanations around why young people are less likely to be members. Ways of addressing this might include age-related membership fees (similar to staggered due structures by earnings, that already exist in many contexts) and/ or more information around trade unions in educational and workplace contexts. Although not discussed in the focus groups (not least because the ERA 2025 had yet to be enacted at that point), its provision on a statement on the right to join a trade union should help with this point. Once it has been implemented through secondary legislation, employers will be required to provide a written statement to their workers informing them of their right to join a trade union²²⁷ (see also earlier section on legal context).

Alongside perceptions and/or experiences of young people having more limited knowledge and awareness of trade unions, respondents argued that older workers were more likely to join a union because of their labour market experiences and their desire for some kind of protection and security (i.e. as insurance). Oliver (neither a trade union nor staff association member) talked about union members wanting to "protect what you've got":

"Because you want to protect what you've earned down the years. As you approach and have one eye on retirement, as I personally do now, erm you want to protect what you've got, what you've earned, for fear of job re-evaluation, redundancy, for example". – Oliver (non-trade union member), Group 3

In a similar vein, Nirav (a trade union member) talked about older workers needing "added security":

"Yeah, I think it's erm the older you get, the wiser you are. They see things, it's their lived experience and what they see around them, and they understand the need for extra security, as it were, just like you would for any type of insurance you'd buy. And, you know, their lives are different, they're more built up, and they don't want to have sudden changes affecting them, so therefore they want that added security, hence the reason they've been a member of a union". – Nirav (trade union member), Group 1

²²⁷ This applies to employees and 'limb (b)' workers. The legislation states that it must be provided with the written statement of employment particulars (contract), so this would apply to the commencement of employment rather than retrospectively (see ERA 2025 Section 58). However, it does also refer to 'at other prescribed times', indicating that there could eventually be a broader provision affecting more than just new joiners, although that remains to be seen. The Government has been consulting on this matter.

The idea of trade union membership being akin to an insurance policy is something also explored in detail above (see section ‘Trade unions widely seen as “personal protection”’). However, it is worth flagging here that youngest and oldest appear less likely to be trade union members (i.e. there is an age-squared relationship). The focus groups did not really acknowledge the issue of the oldest workers not being trade union members; though the age-squared relationship identified earlier in this chapter may be due to older workers exiting stable jobs and entering more flexible precarious work upon reaching retirement, either out of choice or necessity (see Chapter 2).

Permanence

The issue of job permanence was a relatively simple one to unpick with respondents in that many felt that there would be a significant reluctance to join trade unions if work was precarious and/ or job mobility high. Charlie (neither a trade union nor staff association member) spoke from first-hand experience:

“I work in a remote call centre. We’re on sort of zero hours, so I’m not convinced that if I was going to lose my job – you know, there are so little rights already or anything protection, so I’m not convinced that if I really needed them, they could make any difference. So, I’m not sure what the value would be of it really, ‘cos I don’t think, you know, they’ve got enough of a strong a case to fight anyway, so it’s probably a bit pointless.” – Charlie (non-trade union member), Group 5

The sense of it being “pointless” to join a trade union in a context where work is precarious was accompanied by a related sense that precarious workers are “very replaceable” and may not want to be seen as a “troublemaker” (see also discussions on stigma earlier in this chapter):

“You tend to find that those job roles are very easily replaceable, so you’ll tend to find that they have a stack of CVs sat in a cupboard and going, “Well, if you don’t come in today and you go on strike, we’ll just pick a CV out of the cupboard and they’ll come in tomorrow”. They might have to train them, but a couple of days, they’ll be up to scratch. And that’s how a lot of employers in hospitality see their staff as well. So, it goes into the zero hours, the non-permanency, you’re also very replaceable”. – Lauren (non-trade union member), Group 3

“And yeah, definitely in regards to the permanency of the work, you know, if you are in a fixed term job or short-term job, whatever, and you want a permanent one, you’re not necessarily going to want to be seen as a troublemaker who’s joining unions, so there’ll be that element as well in regards of that.” – Calvin (trade union member), Group 1

Whether non-permanent workers’ reluctance to join a trade union is because of the practicalities of trade union membership in protecting workers in this context or fear of repercussions (or something else) it is something worth exploring further. The former could potentially be fixed by more flexible membership options, whilst the latter would arguably be harder to address and involve employers/ managers changing behaviour and attitudes.

Just as it was felt there would be a reluctance to join trade unions if work was temporary, so respondents argued (and this links to discussions above around age and union membership) that people would be more likely to join unions as their work became more secure. Maryam (a trade union member) linked this to various commitments that permanent workers are more able/ willing to take on:

“I found personally that people do tend to join the union when it is a permanent role, because of the fact that they’re taking an extra financial commitment. If something does go wrong in the work industry and they’re out of a job, you know, their homes are affected, their finance agreements are affected etc., so it’s more of a financial implication rather than anything else”. – Maryam (trade union member), Group 4

Once again, this connects to the theme of trade unions acting as insurance against job and related financial problems, something discussed above.

There was clearly a perceived link between the permanence factor and industry, with respondents often discussing the impact precarious work has on union membership in relation to certain types of lower-skilled work where barriers to entry are low and labour easily replaceable (ease of substitution). Noah (neither a trade union nor staff association member) and Steve (neither a trade union nor staff association member) talked from first-hand experience here:

“I do work in hospitality, erm and yes, and like the previous person just said, a rather high turnover and like the instability of the role I think that obviously I’d say is the main reason why myself, as well as others, aren’t really engaging in unions like that. It’s also very easy to replace people, and it’s just the nature of the job is, as you said, you work for a few months, obviously it depends on the person, but yes because of the instability of the job, it does cause more of a high turnover. So, unions may not get as much I would say like momentum, obviously, if people are in and out all the time, people are working part-time, flexible hours, hours, as you said, late at night, for example. Because of the instability of it. I’d say that’s the main reason.” – Noah (non-trade union member), Group 4

“When I used to work in catering, it was mostly younger people, erm most of them stopgap workers looking for something else, not likely to stay working in a kitchen or in a restaurant for the rest of their life. Mostly on zero hours as well, which works – it’s one of the industries where it can work well, both for employer and employee, but that sort of thing doesn’t lend itself to union erm power because there’s just not the erm staying power of the staff.” – Steve (non-trade union member), Group 3

The “instability” and “lack of staying power” characterising a sector like hospitality is clearly connected here by participants to the limited trade union membership. The quotes underline the difficulty of talking about age and permanence without also considering industry.

Industry

We have seen above how the hospitality sector is connected to limited union membership. The flip side to this are certain public sector professions in education and healthcare, where union membership is much higher. Fiona (a trade union member), for instance, spoke about the culture of trade union membership in the healthcare sector where she worked:

“When I started my job in healthcare, it was almost frowned upon to not join the union. Even though at that point I didn’t even really know, no one ever explained, or, but you just kind of did it because everyone else did”. – Fiona (trade union member), Group 1

Explaining sectorial differences in membership rates, several respondents talked about the nature of the work in healthcare and in education. Laura (a trade union and staff association member) who worked as a nurse reflected on the need for healthcare and education workers to protect themselves using unions as a “back-up”:

“It would be more likely to be with a union if you work in healthcare or education. One of the main reasons that I’m with the union is the back-up if I ever make a mistake. Erm, so I think in healthcare, and I’m assuming probably education as well, because you’re dealing with people’s lives, erm there is a lot more room for error. That’s why I would assume that people that work in healthcare and education are more likely to be members of a union”. – Laura (trade union member), Group 2

Similarly, Chiara (a trade union and staff association member) who was also a nurse talked about this “back-up” function too:

“In this kind of like field, like healthcare...you need to know about the law, and you will encounter something that you need to know about the law...so I think that’s why in this sector people created a union and created a nursing association, just because as a one person you’re not going to have to go to a lawyer all the time, but you just have like, you know, something that backs up you.” – Chiara (trade union member), Group 2

Thus, in addition to education and healthcare offering more permanence than say hospitality, where labour is more easily replaceable, and this underpinning trade union membership, it was argued that there was a particular need for trade unions in certain sectors because of the nature of the work and the legal risks involved. Once again, the idea of unions as a form of insurance comes to the fore here. There may also be an issue of union density rates being historically much higher in the public than the private sector (DBT, 2025).

Size of Workplace

It was clear from respondents that trade unions were not always seen as suited to small workplaces in both a practical and political sense. In terms of the former, Zainab (a trade union member) compared working in a small company to a larger school setting:

“I mean, I worked long-term in a, in an establishment in property auctions, and all the time I was there, never ever even considered that I needed to even join a union. Erm, whenever there was an issue, we would, we would go straight to the Directors, past management and go straight to the directors, and they were, they were very people orientated, where we could have conversations and we could squash whatever issues there were, as opposed to, you know, within a school setting” – Zainab (trade union member), Group 1

Similarly, Helen (neither a trade union nor staff association member) also emphasised the practical dimensions of trade union involvement in small workplaces:

“It might seem a bit overkill to have a trade union when you have just got a smaller population to manage...the channels of communication are easier, it’s more manageable, so why have this separate entity to deal with any issues?” – Helen (non-trade union member), Group 5

In terms of political constraints, several respondents felt that trade union activity in small workplaces would stand out and raise alarm bells amongst owners and managers. Emily (staff association member only) mentioned the “stigma” in small firms in relation to trade union activity:

“I presume it’s still there; there’s a stigma. Maybe you’ll be more outspoken, or you’ll be frowned upon because you’ll say “I know my rights, you can’t treat me like this. I’m a member of a union”. It might be just a small company. The management might feel threatened that “oh we’ve got a right one here, you know, going to cause trouble” or something. It used to be you’re a union member; you’re going to cause trouble. You’re going to demand better pay; you’re going to demand better conditions. It’s ridiculous. It’s just human rights, isn’t it? It’s what you want. Yeah, there was a stigma with it. So, I would imagine in a small workplace, yeah, you’ll stand out as the gobby one.” – Emily (non-trade union member), Group 2

In a similar vein Calvin (trade union member) argued that union members might be seen as “troublemakers” whilst Nicole (neither a trade union nor staff association member) talked of a “fear” and “isolation” in small workplaces for trade union members:

“If it’s a smaller industry or a smaller workplace, erm where there’s not an encouragement to join a union, they’re less likely to join it, purely because they don’t want to be seen as a troublemaker, in my opinion.” – Calvin (trade union member), Group 1

“I feel like in a smaller workplace as well, maybe there’s sort of like a fear that if you are joining a union and sort of speaking up erm about issues, that you’re kind of going to be the only sort of person that’s doing so. And obviously if you’re in a very small team and you’re that one person that’s kind of giving their opinions and saying stuff, it can I guess feel very isolating. So, I suppose maybe that’s why people tend to – you know, if you’re in a small workplace, less likely to join a union, just for fear of not wanting to be the only one that’s actually sort of raising issues.” – Nicole (non-trade union member), Group 3

The issue of negative attitudes and actions being directed at union members, real or perceived, is something that needs addressing. As Emily (not a trade union member) states above such negativity “...is ridiculous. It’s human rights”.

Migration

Five out of the 50 focus group participants were born outside the UK. Both UK-born and non-UK born participants had views on the relationship between migration status and trade union membership. The theme of not wanting to stand out as a trade union member emerged when reflecting on why migrants were less likely to join a trade union. In addition, migrants were also (like younger workers – see above) seen to have less knowledge and awareness around UK trade unions. The following quote from Patricia (a trade union member) captures these different factors:

“I think it’s due to several reasons. I think one: lack of awareness. You know, if you come from a country where trade unions don’t exist, and you join a company and there’s no advertising of trade unions, you know, they don’t have posters in the wellbeing areas, you know, like how would you know they are there? I think, too, like a lot of immigrants, mostly...the fear of losing their job if they’re seen challenging management or challenging the company through a trade union. I think it’s quite daunting. So that’s probably another reason why they wouldn’t want to join. I think language barriers too. Erm, you know, if you’re somebody who’s new to the country and you’re getting like union leaflets and it’s very heavy language that you don’t understand, you’re probably unlikely to join.” – Patricia (trade union member), Group 4

In addition, cost was also raised as an issue for migrant workers (particularly in the context of existing additional costs they bear), as it was for young people too and affordability of union membership is something we will discuss in more detail later in the chapter. UK unions have done some work to try and organise migrant workers in the past and, given the continued relationship between foreign-born workers and low union membership, this work is likely to need to continue.

Other Factors and Associations

As a final point in this section, we asked focus group participants to highlight any other factors and associations they felt impact trade union and staff association membership. Two factors were most readily offered up: health and disability and geography. In terms of health and disability, participants wondered:

“Do more people erm join a union if they have some kind of disability, whether that being they’re a bit neurodivergent or they’ve got a physical disability, as opposed to somebody that’s erm neurotypical and is completely able-bodied”. – Sophie 2 (trade union member), Group 2

In terms of geography, there was a feeling that there might be a north-south divide in membership:

“I have an image in my head of like northern people unionising more than southerners. I don’t know if that’s accurate or not.” – Matt (non-trade union member), Group 5

“About the history, erm you know, Thatcher government specifically. Again, coming from Yorkshire, it’s very hammered in. Erm, and I think, you know, you’re kind of reminded

constantly of how, how that time kind of ripped a lot of families apart up here and had, you know, a huge, huge effect on, on people's lives. So yeah, I think you're kind of brought up in certain areas of the UK really knowing what happened kind of thing." – Daniel (non-trade union member), Group 6

Notably, both disability and region turned out to have significant associations with membership in our final models (the former for the full workforce, the latter for precarious workers only). Although regional differences were more complicated than a north-south divide, the participants' sense of what was missing turned out to be prescient indeed.

Conclusion

By combining large-scale survey data with in-depth focus groups, this chapter provides a nuanced picture of challenges and opportunities around worker representation in the UK labour market. Overall, the survey data show a gulf between attitudes towards and membership of trade unions and staff associations. Workers themselves had broadly (albeit mildly) positive attitudes towards trade unions or staff associations, and they predominantly perceived their employers, managers or supervisors to be neutral towards them. Yet, levels of individual membership and workplace coverage (as measured by co-workers' membership) were both low, and significantly lower for precarious workers than the wider workforce. The widespread perceived neutrality of bosses may reflect genuine neutrality or more of an apparent indifference. Based on the regression model findings of what was predictive of individual membership, having more workers on permanent contracts would likely help increase membership, as would increasing workplace presence of trade unions (something the Employment Rights Act 2025 seeks to facilitate). Concentrated outreach would likely be needed to sign up more people who are from an immigrant background, as workers born outside the UK are less significantly likely to be members than UK-born British citizens. The focus group discussions helped unpack and explain the survey findings around industry, age, permanence, migration status and workplace size. Through triangulating the quantitative and qualitative data in this way, we could increase confidence that the survey findings reflect experiences on the ground.

The focus groups also proved valuable in exploring perceptions and experiences of trade unions, staff associations and other sources of support in more depth and nuance. The groups shed light on a range of interconnecting factors that together help explain how worker organising can be enabled or inhibited and help interpret and contextualise some of the key survey findings (e.g. mildly positive attitudes towards trade unions and staff associations on average, but low membership rates). Overall, positive attitudes and experiences around trade unions outweighed negatives in the focus groups and trade unions were widely conceptualised as a source of "personal protection". The crux of negative experiences tended to rest on questions of limited efficacy rather than clashes of values, speaking to a potential disconnect between experiences in practice and views in principle. Overall, participants described encountering a mixture of pro-trade union norms, anti-trade union stigma and silence on the matter. Participants widely perceived a decline in trade union power and context was crucial for whether and to what extent they saw trade unions as relevant and/or necessary for their circumstances specifically: important factors for policymakers to understand. Particular doubts were raised around whether and to what extent trade unions could protect the precariously self-employed (dependent contractors) given their comparatively limited employment rights, power imbalances with firms, and difficulties accessing remedy. From an affordability perspective, both absolute cost and relative value appeared important to membership decisions.

Unlike trade unions, staff associations were much more poorly understood as a concept, the term was interpreted very inconsistently, and the mechanisms for addressing labour market non-compliance and other work-based harm were far less clear. These results strongly caution against conflating (independent) trade union and staff association membership in survey measurement. The picture of other sources of support, organising and voice for workers was varied and highly fragmented, indicating limited awareness, use and/or scope of alternative pathways to support. There are two main implications for Government given its attempts to promote workers' rights and tackle non-compliance in the labour market. First, in recognition of the vital role independent trade unions play, it could further enable attempts to increase trade union coverage and widen worker representation. That aligns with the progressive implementation of trade union provisions in the ERA 2025 (and indeed enforcement of those). Second, in recognition of gaps in trade union coverage, it could simultaneously seek to enable other routes to worker consultation as well and support other organisations that can offer a crucial backstop for unrepresented workers in particular (e.g. Acas, Citizens Advice, other NGOs or grassroots organisations). Finally, we also found some critical case evidence of digital surveillance of informal worker organising and some indications of AI being a potential emergent source of advice on employment rights and access to remedy, although the different roles and uses of digital technologies to help or undermine workers requires further focused investigation.

Chapter 12: Recommendations and moving forward

Chapter summary

In this final chapter, we present 24 empirically grounded recommendations. These derive from the data and insights gathered from our major research programme and incorporate expert feedback and advice. Where relevant and feasible, we also draw on the wider international and national evidence bases. Grouped by primary target audience, we present ten recommendations to the Fair Work Agency; ten to other areas of Government; two to trade unions and other sources of worker support; and two to employers and their representative bodies. Throughout, we take a realist approach, indicating a rough timeline for implementation and topline assessment of the strength of underpinning evidence. While not exhaustive, the recommendations can be read as a broad roadmap for measures that would likely help increase compliance, enforce worker rights more effectively, and improve access to justice. The operational details remain to be developed and would require careful thought and further consultation, particularly in areas where we do not have specialist expertise (indicated throughout for transparency). We finish with some brief reflections on future research directions.

Important context

These recommendations were produced by independent academics. They reflect the views of the multidisciplinary research team, informed by both evidence and experts. They do not necessarily reflect the views of the Fair Work Agency or HM Government at large. The recommendations are provided in an advisory capacity. HM Government has no legal obligation to respond to the suggestions put forward here.

This project was designed to encompass both labour market non-compliance (as defined by the remit of the former Office of the Director of Labour Market Enforcement) and other forms of work-based harm (which may or may not breach other laws, regulations or contractual terms). These issues do not exist in neatly delineated policy silos, and a joined-up approach is vital in protecting workers' rights and improving working conditions for all. The state, civil society, and businesses themselves all have important roles to play here.

Accordingly, while many recommendations focus on the direct remit of the Fair Work Agency (the publisher of this report), others pertain to stakeholders elsewhere within or beyond Government. The spirit in which these recommendations are offered is to help inform strategy and practice to improve conditions in the labour market and support more effective and cost-efficient protection and enforcement of workers' rights.

Introduction

In developing these recommendations, we drew on the full 41-month research programme (Jun 2022–Nov 2025), considering both quantitative and qualitative results. The recommendations are grounded in unprecedented new data on the scale and nature of labour market non-compliance and other work-based harms in the UK, methodological lessons from the project, and diverse advisory groups' insights. We also align our recommendations with the broader evidence base nationally and internationally, where available and where we had pertinent expertise.

Having developed an initial list of potential recommendations, we took a selection²²⁸ to our six project advisory groups for scrutiny and discussion. To recap, those were: (1) people in precarious work; (2) worker representatives (including trade unions and NGOs); (3) employers and employer representatives; (4) policy makers and operational staff; (5) labour abuse academics; and (6) legal experts. Based on their feedback and critiques, we refined them into the final list here. We do not claim that the final recommendations represent all advisory group members' views (let alone those of their organisations)²²⁹, but we certainly took all views raised into account²³⁰.

The recommendations are not an exhaustive set of *all* possible measures that might help encourage compliance and support enforcement and monitoring of breaches and harms in the labour market. Instead, we focus on potential means of addressing the problems *as diagnosed in our data* (i.e. from the perspectives and experiences of *workers*). Other important areas were therefore beyond scope, such as potentially increasing penalties on businesses for non-compliance or working to reduce reliance on individuals needing to enforce their rights via the Employment Tribunal system.

The recommendations are particularly relevant to the FWA's work. However – and as our results repeatedly show – violations of labour rights within its remit do not happen in a vacuum. Instead, they intersect with other violations and harms, together impacting on workers' lives and wellbeing. Tackling labour market non-compliance and other work-based harms requires thinking in terms of public health – not just employment rights and labour justice. It also demands a full systems response. The recommendations point to the bigger picture around compliance and enforcement, and where the FWA could be looking to collaborate more broadly across intersecting policy areas.

²²⁸ We had a longlist of approximately 30 recommendations and, given the time available (2 hours per group), we needed to prioritise for meaningful discussion the ones that (a) related directly to each specific advisory group's areas of expertise, and (b) might be more complex or contentious. We took around 10-13 recommendations to each group. We also asked the legal expert's advisory group some more open questions about the extent to which they felt the (then) Employment Rights Bill (now ERA 2025) would address the main issues identified by the research, and where gaps might remain.

²²⁹ Levels of discussion of and support for various recommendations varied between and within individuals and groups; this was largely inevitable given the diversity of interests, concerns and priorities represented.

²³⁰ This approach was systematic and relied on detailed conversations with our advisory boards of experts. We devised some recommendations that were rejected by the advisory groups and therefore did not make the cut. Some of the recommendations listed here were not the ones we came up with originally but came out of our discussions with the groups.

We try to bring out the ‘who’ and ‘how’ of the recommendations as much as possible. Some are relatively simple and self-contained, others relate to broader principles and would likely require further work on the specifics of operational delivery, potentially including intervention development research. Investing in robust, context-sensitive evaluations will be vital to understand whether interventions delivered against their intended goals, and to monitor and mitigate possible unintended consequences.

Realistically, all of these recommendations have resourcing implications, although existing resources could also be allocated more effectively. We recognise that decision-makers will likely face difficult decisions about prioritisation, given competing demands, budgets and trade-offs. Some recommendations may require a longer timeframe to be implemented. However, we indicate where implementation should be hastened due to the benefits of early adoption, and the overwhelming support in the available empirical evidence. We adopt the following approach:

- ‘**Early**’ refers to implementation (and assessment) as early as practicable (preferably from the first year of the FWA’s operation, i.e. from April 2026).
- ‘**Mid-term**’ refers ideally to years two and three.
- ‘**Long-term**’ refers to year four onwards.

The tables summarising recommendations are ordered by potential timeline for delivery and the strength of supporting evidence. In assessing strength of evidence, we considered not only the evidence from our study (largely focused on problem diagnosis), but also the contributions of diverse stakeholder advisory groups and the existing international literature we reviewed²³¹. **Notably, much of the evidence here is assessed as ‘moderate’, and we do not use the category ‘strong’ due to the lack of causal evidence or large-scale trials.** There can be strong grounds to implement a recommendation even where the underlying evidence is more limited. Our ratings are as follows:

- ‘**Moderate**’ strength, as used here, reflects the presence of compelling evidence on an intervention, ultimately based on observational data (with, occasionally, quasi-experimental designs).
- ‘**Weak**’ typically means that there is a clear, well-documented problem and often a clear theory of change, but insufficient evidence demonstrating tangible impacts of the proposed countermeasure, or that the recommendation itself deals with broad principles rather than specific (and thus evaluable) interventions. This is a conservative approach. In essence, for these measures there are solid grounds to think these *could work*, but we cannot show definitively (at least not in a statistical sense) that they *have worked* elsewhere. Decision-makers would do well, however, to consider acting on the best available evidence (even when weak), while also investing in generating more evidence where applicable.
- ‘**NSE**’ (**no specialist expertise**) indicates where a given area is not directly within the remit of our team’s knowledge and experience. In such cases, the principles are compelling and there was typically strong advisory group support for the recommendation in question, but we were not the most qualified to advise on how these measures might best be implemented, nor familiar with the relevant wider evidence base (e.g. on communication

²³¹ We used the expertise of our multidisciplinary research group and advisory groups to the best of our ability. However, please note that we did not carry out extensive or systematic literature reviews for each recommendation. We also highlighted the areas where we felt that we lacked expertise and external consultation might be beneficial.

strategies, user experience, etc.). Here, we recommend the FWA (and others, as relevant) consults appropriately with those who do have such expertise, to help fine-tune these recommendations and develop the necessary operational detail.

The remainder of this chapter is split as follows. We start with recommendations to the FWA: this report's publisher. We then move on to recommendations to others elsewhere within Government and key groups beyond Government.

Recommendations to the Fair Work Agency

For the FWA to succeed, it is vital to raise awareness of workers' rights and how to enforce them, build and maintain trust among workers, be proactive in enforcement, develop a stronger evidence base on interventions, and anticipate and mitigate potential unintended consequences. Table 12.1 gives an overview of all recommendations to the FWA.

Table 12.1: Overview of the 10 recommendations to the FWA

No.	Recommendation	Adoption timeline	Quality of empirical evidence
FWA1	Raising the visibility of the FWA, so that workers, employers and the organisations supporting workers are aware of the new agency and its scope	Early, and ongoing	No specialist expertise (NSE)
FWA2	Ensuring the FWA takes a proactive, evidence-based and expert-informed approach to monitoring, inspection and enforcement, which will require appropriate resourcing and effective use of existing resources	Early	Moderate
FWA3	Thoroughly scoping with mind to implementing (in conjunction with DBT and Home Office as necessary and appropriate) suitable firewall-type safeguards for insecure migrant workers, in order to enable the FWA to deliver on its core worker-protective functions and support access to justice	Early	Moderate
FWA4	Enabling anonymous and third-party reporting to the FWA	Early	Moderate
FWA5	Ensuring multi-lingual communications and reporting	Early	NSE
FWA6	Developing a strong evidence base on 'what works' in tackling labour market non-compliance	Early (existing evidence) to mid-term (new evidence)	Context-dependent
FWA7	Ensuring the FWA is easily accessible and working effectively with DBT and Acas to enable and publicise a single point of contact	Early (accessibility) and early to mid-term (single point of contact)	NSE

No.	Recommendation	Adoption timeline	Quality of empirical evidence
FWA8	Working with the Department for Business and Trade to pilot an age-related notification scheme aimed at informing young people about their employment rights, the FWA, and how to access support if needed	Early to mid-term	NSE
FWA9	Working with UK Visas and Immigration and Acas to ensure that workers coming to the UK on visas or permits to travel are issued with information about their employment rights, the FWA, and how to access support if needed	Early to mid-term	Moderate
FWA10	Commissioning regular research aimed at providing a clear and up-to-date picture of the scale and nature of labour market non-compliance (and related work-based harms) in the UK	Mid-term	Moderate

1. Raising the visibility of the FWA, so that workers, employers and the organisations supporting workers are aware of the new agency and its scope

Based on the results of the Working Lives Survey, there is a clear case for a focus on awareness-raising around rights at work and state enforcement, aimed particularly at (1) young people, (2) workers outside traditional employment, (3) migrant workers, and (4) small businesses. This needs to be done in tailored ways, using engaging styles and appropriate and multi-lingual modes of communication.

Background

While awareness raising alone is no panacea, *knowing* about the FWA is a necessary precondition for workers, businesses and third parties who support them to be able to *report* potential breaches. As such, awareness is a key pillar of a strong enforcement system, alongside trust, accessibility, effectiveness (actual and perceived), and cost-efficiency.

As our advisory groups noted, the most effective communication modes, styles and contents will likely vary depending on the target group(s) in question. Effective communications will need to be tailored, including in terms of language and specifics relating to age, employment status, industry, and types of working visas, etc. Similar lessons have been drawn from experiences of state enforcement around wage theft in the US (see, e.g., Weil, 2018).

In the precarious worker advisory group, there were calls to strengthen communication with the FWA using easier/simpler language, providing materials in translation (see FWA5), using real-life examples and having diverse formats (including videos). They also recommended co-designing communications with their target groups. These points also apply to information hosted on the FWA's website.

2. Ensuring the FWA takes a proactive, evidence-based and expert-informed approach to monitoring, inspection and enforcement, which will require appropriate resourcing and effective use of existing resources

We advocate for a change in priorities to support more effective use of existing resources. This should include thinking carefully in terms of harm, not just volume of cases. This shift is especially needed as the Working Lives Survey demonstrated how widespread labour market non-compliance and other work-based harms are in the UK. While the FWA is required by Government to respond to every complaint, it will still need to prioritise how it does so, as well as how it allocates proactive resources.

We also call for a reform of how enforcement is conducted, with an increased focus on clear and public demonstrations of enforcement, supported by rapid responses to priority cases. Clear expectations and communication also need to be in place around expected timelines, to avoid the risk of building a reputation as a ‘blackhole’ for reports, which could deter subsequent reporting. Appropriate monitoring and evaluation are also required, including regional-level pilots to test ‘what works’ (and under what conditions) and to determine a set of best practices that could be adopted UK-wide, to use finite resources more effectively and cost-efficiently (see also FWA5).

Finally, we recommend *increasing the number of labour inspectors*, which is far below international standards (see, e.g., ILO, 2024). This will, inevitably, mean an increase in costs, however, the results of their work, and the associated fines, could potentially offset the additional funding.

Background

We are advocating for a nuanced, harm-focused approach to labour market enforcement. Crucially, harm can – and arguably should – be measured in different ways, including prevalence of breaches (i.e. number of affected workers), incidence of breaches (i.e. number of total violations), longevity of breaches, scale of financial and non-financial loss, and other aspects of the severity of impacts (for various approaches to harm, see, e.g., Curtis-Ham, 2022). This is not a suggestion that the FWA should focus solely or even mostly on the most severe and extreme forms of labour market non-compliance (i.e. criminal offences of modern slavery). Instead, we would urge the FWA to consider how the highest severity cases in their remit are prioritised alongside other potentially less extreme but nevertheless high-harm breaches (e.g. because they are large-scale, prevalent, long-lasting, etc.). This might be achieved by considering severity alongside the number of workers affected. This calls for a shift in approach, where each breach is not considered in isolation, but repeated systematic breaches in the same workplace handled as one breach with its harm score augmented (e.g. added up) accordingly. Provided that a particular breach is widespread, the associated harm score could easily be larger than extreme violations of a few people’s rights combined. This suggestion is not intended to in any way detract from a very real need for the state to respond well to the extreme ends of the spectrum of labour market exploitation. However, there is also a very real need for the FWA not to lose sight of its remit around employment rights, and this sort of approach might help balance these competing priorities.

To build and maintain confidence in the FWA, it will be important to enforce labour rights well, both reactively and proactively (i.e. both responding to direct reports and investigating high-risk settings). In both cases, we would caution against pursuing ‘low-hanging fruit’ at the expense of more complex but potentially more harmful cases. Such a shift from prioritising volume to harm has been made by several police forces in the last decade, both in the UK and worldwide (Sherman et al., 2016; Sherman et al., 2020) and should be considered by the FWA as well. It also aligns with experience from the US of developing strategic approaches to labour inspections and enforcement (Weil, 2008, 2010, 2018). If

adopted, however, this should not be a static system, but rather ever-evolving worker feedback should also be considered. This point is demonstrated in the policing context by public demands for increased police action on widespread but relatively minor crimes such as fly-tipping, shoplifting, or small-value theft (Wood, 2025). Listening to insights from workers and their representatives and having these inform enforcement strategy and practices could also engender trust in the FWA.

Trust, it was said in the labour abuse academics advisory group, would require a clear and public demonstration of successful enforcement from the early stages of the FWA onwards, showing that there is indeed a step change in labour market enforcement. This could potentially be complicated by increased detection due to enhanced inspections and enforcement. Increased detection, especially early on, could make it appear as if the number of labour violations went up post-FWA. To address this statistical mirage, one of the key metrics to focus on should be the number of violations recorded based on the number of inspections carried out.

Timeliness of responses was also highlighted as important towards trust and effectiveness (e.g., delays in naming and shaming were said to make it too easy for businesses to claim that their practices had long since changed). It was also suggested in the labour abuse academics group that the approach to targeted inspection should be not just evidence-informed but also expert-informed. That could mean drawing on a wide range of experts (including civil society partners and workers themselves) to design systems that are context-specific to the needs of different industries or groups of workers.

The advisory groups of worker representatives, policy and operational staff, and labour abuse academics, all stressed that the FWA will need to set clear expectations about what follow-up communication is possible. This was stated in the context of anonymous and third-party reporting (see FWA4) but is applicable more broadly. If it is impossible to update those reporting breaches (e.g. due to operational sensitivities), they suggested this be made clear upfront, so that the FWA does not risk developing a reputation as a ‘black hole’ into which reports go but nothing happens, which could deter reporting in the long run.

The use of current resources was a contentious point within and across our advisory groups: some felt the FWA use existing budgets more effectively, whereas others argued that working smarter will not be enough, and budgets simply must rise. Concerns were also raised that additional duties risk being given to the FWA without equivalent budgetary increases, which could lead to a dilution of its ability to enforce on its core remit around workers’ rights.

The sheer scale of violations and potential violations indicated in our survey suggests that current inspection levels are not sufficient to deal with breaches of workers’ rights. That said, we would suggest existing resources could *also* be used more effectively, and that even with more resources there will *still* be a need for prioritisation. Here, reflections from the development of strategic approaches to inspection and enforcement in the US context are instructive:

“There will never be sufficient resources to staff agencies to the level needed to assure complete compliance with workplace laws, so there will always be a need for enforcement agencies to use their resources to achieve greatest impact.” (Weil, 2018, p. 456)

While arguing for increased budgets, we would therefore also advocate for thinking about how best to maximise existing budgets. One part of that could well be targeting inspection and enforcement on a basis beyond geography or sector, depending on the issue in question (see Chapter 8). There could also be benefits in ‘up the chain’ enforcement, for example if there are breaches in one franchise, considering investigating the whole enterprise (see also Weil, 2010), or prioritising businesses about which there are multiple complaints, on the basis that so few workers complain that multiple complaints are likely to signal a widespread problem (see also Weil, 2018; Weil & Pyles, 2005).

As has long been noted elsewhere, the UK is well below the ILO standard of one labour inspector per 10,000 workers. To reach this benchmark, the FWA would need roughly 4,000 inspectors²³² based on the size of the current workforce. That is roughly a ten-fold increase in inspection resources to hit the ILO benchmark. While progressively realising the ILO standard is an important long-term goal, an arguably more realistic interim proposal can be found in the Resolution Foundation’s recent call for a two-fold increase (Judge & Slaughter, 2023). It will also be vital to monitor the impact of increased inspections and carefully targeted inspections.

A prospective increase in inspections was generally welcomed in principle, albeit with some caveats. Most notably, we were repeatedly warned by precarious workers and worker representatives, and others, that firewall provisions are vital to ensure that increased inspections do not put migrant workers in fear and at further risk (see FWA3). In the policy maker and operational staff advisory group, some suggestions were raised about possible provisions for greater involvement of trade unions in inspections, although it was noted that trade unions would need enforcement powers for this to work. This might be a useful area for further exploration with the FWA tripartite advisory board.

3. Thoroughly scoping with mind to implementing (in conjunction with DBT and Home Office as necessary and appropriate) suitable firewall-type safeguards for insecure migrant workers, in order to enable the FWA to deliver on its core worker-protective functions and support access to justice

For the FWA to meet its objectives to enforce the rights of workers, workers themselves must feel confident and safe reporting to it and engaging with its inspectors. There are well-evidenced and compelling reasons to work towards ensuring that state labour market- and immigration enforcement-functions can co-exist without interfering with or undermining each other’s goals. This requires mitigating additional risks and barriers insecure migrant workers can face when exercising their labour rights and engaging with labour inspectors.

This has been recognised previously by Matthew Taylor (former Director of Labour Market Enforcement and now the Chair of the FWA’s Advisory Board), who called for this issue to be examined in developing a single labour market enforcement body²³³ (Taylor, 2021a). Taylor’s proposal had itself resulted from widespread concerns consistently voiced by stakeholders – concerns strongly echoed in our own advisory groups - as well as the joint investigation by HM Inspectorate of Constabulary and Fire & Rescue Services (HMICFRS), the College of Policing and the Independent Office for Police Conduct (HMICFRS et al., 2020). That investigation found that victims of crime with insecure or uncertain immigration status are fearful that, if they report crimes to the police, their information will be shared with the Home Office.

²³² 3,800-4,200 with margin of error.

²³³ See recommendation 6c in the Labour Market Enforcement Strategy 2021 to 2022 (Taylor, 2021a).

In light of this context and empirical evidence, we recommend that the FWA should urgently work to scope firewall-type safeguards, examining in detail the specifics involved. Following those results, the FWA should work with DBT and the Home Office as appropriate to design and introduce firewall-type safeguards between labour market and immigration enforcement.

The clear challenge here is that a full evaluation will take time. It follows, that, in the meantime, there is a risk the FWA will gain a reputation for practices counter to its core worker-protective function that might well be harder to shift once established. Therefore, we recommend the FWA consider using its operational discretion to prioritise its worker-protective remit.

Background

Matthew Taylor, the incoming Chair of the Advisory Board of the FWA and then DLME, previously emphasised the need to “maintain a clear dividing line between labour market enforcement and immigration enforcement”, reiterating that the “aim of the DLME, and the enforcement bodies it oversees, is to improve compliance among employers, not their workers” (Taylor, 2021b, p. 80).

With the opening of the FWA, there is an opportunity to thoroughly review past practices and ensure that the FWA’s own approach going forward is maximally aligned with international law and best practice, the national and international evidence-base, and consultation and expert insights from workers, trade unions, inspectors, and other experts.

The FWA must of course be compliant with its legal obligations as a public body, and ultimately it is not the FWA independently but its sponsoring department, DBT, that is responsible for setting labour market enforcement policy. The same goes of Immigration Enforcement and UK Visas and Immigration – both under the purview of the Home Office.

Nevertheless, the FWA is expected to be able to act independently. As such, it should use its discretion when it comes setting operational parameters. This could – and, based on the evidence-base presented below, should – include an enforcement approach that is focused first and foremost on protecting workers’ employment rights. This would align with both International Labour Organization (ILO) standards (discussed shortly) and international best practice: as reviewed in detail in a recent global report (Farbenblum & Berg, 2021), other jurisdictions, including the USA, Australia and Belgium, have put in place legal and administrative measures to insulate the enforcement of labour rights from immigration enforcement.

Both the empirical evidence and the advice of our advisory group stress that this is a crucial recommendation to adopt as early as possible at the stage when the FWA is establishing its reach and reputation. Trust, once lost, can be very hard to regain. **The measures proposed here are aimed at building and maintaining trust with migrant workers at large, who may have entirely regular but nevertheless precarious migration status** (e.g. due to dependency on employer sponsorship and/or short-term visas, see also GOV9 for further explanation).

The Home Office has policy responsibility in enforcing immigration regulations²³⁴. Recognising on the one hand the objectives of immigration enforcement and the challenges this brings, on the other hand it must be **recognised that the interplay between labour market enforcement and immigration enforcement risks undermining the FWA's ability to deliver on its own remit**. This is because the threat of immigration enforcement can discourage reporting to the FWA and engaging with its inspectors during inspections. This applies not just to those without right to work status, but also to those with insecure status (e.g. due to short term or tied visas) and can also apply to migrant workers more broadly due to reputational and trust-related ripple effects.

With this in mind, we would suggest a two-pronged approach. First, that the FWA thoroughly scope (including with appropriate and ongoing legal advice) different models of firewalls and different parameters that might be applied²³⁵ (e.g. unilateral versus bilateral, absolute prohibitions on information sharing versus anonymised, aggregate and/or time-limited restrictions), drawing on international evidence wherever possible to identify potential policy options and understand more about 'what works'. Second, that the resulting report from FWA should then form the basis of further discussions with DBT and the Home Office with a view to designing and introducing a robust firewall between labour market and immigration enforcement. In the interim, the FWA should use its operational discretion to prioritise its worker-protective remit.

Ultimately, it is both an evidence-informed and expert-informed position that migrant workers and third parties need to feel safe to report breaches to the FWA and engage with inspectors from the FWA (and other regulators concerned with violations of workers' rights) without fear of their personal data being shared with Immigration Enforcement and potentially triggering an immigration response. There is a great deal of evidence generated in the field of policing that demonstrates that firewall measures significantly increased crime reporting to the police, thus providing valuable intelligence that would have been otherwise unattainable and enabling the exercise of criminal justice (e.g. Comino et al., 2020; Jácome, 2022; Martínez-Schuldt & Martínez, 2021). Similar comparisons should be made with experience of other jurisdictions where analogous mechanisms exist, to understand what has been effective, under what conditions, and the trade-offs involved.

Without such safeguards, exploitative workplaces will continue to operate relatively unimpeded, since workers with insecure migration status or good grounds to fear the FWA are tangibly disincentivised from reporting violations. This in turn seriously risks negatively affecting the UK economic at large, by impeding detection and enforcement, strengthening the grey and black economy, driving down standards, and disadvantaging businesses that do comply with employment rights.

²³⁴ There are two immigration divisions of the Home Office that are relevant here: Immigration Enforcement, which conducts frontline enforcement operations, and UK Visas and Immigration which administers the visa, asylum and sponsorship licencing systems. The focus of this recommendation is on the former. Different, specific considerations arise in the context of UK Visas and Immigration (see also Gov9).

²³⁵ For example, unilateral versus bilateral firewalls, having absolute prohibitions on information sharing versus anonymised, aggregate and/or time-limited restrictions.

The wider evidence base repeatedly shows that insecure migration status is an additional and substantial barrier to seeking justice, and that exploitative bosses can use precarious and irregular migration status to threaten and control workers, and to otherwise compel them to tolerate sub-standard working conditions (see, e.g., Bernhardt et al., 2009; Crépeau & Hastie, 2015; Farbenblum & Berg, 2021; FLEX & LAWRS, 2022; Fudge, 2018; Hodkinson et al., 2021; Labour Exploitation Advisory Group, 2020; LAWRS et al., 2025; Palumbo, 2024; Vosko, 2020, 2025; Weil, 2010; Wilkinson, 2012). Tensions also arise when the same organisation is responsible for both immigration enforcement and worker welfare, as highlighted by the recent Seasonal Worker Visa report in England and Wales (Independent Chief Inspector of Borders and Immigration, 2022; Migration Advisory Committee, 2024).

As the ILO emphasises, joint operations between labour market and immigration enforcement are “not conducive to the relationship of trust that is essential to enlisting the cooperation of employers and workers with the labour inspectorate, as workers in a vulnerable situation may not be willing to cooperate...if they fear negative consequences as a result of inspection activities, such as...being expelled from the country” (International Labour Conference, 2017). Notably, research also suggests that joint operations with labour market bodies form a relatively small part of Immigration Enforcement’s operational activity in the UK presently (Labour Exploitation Advisory Group, 2020).

The above is underpinned by a core principle of ILO standards – under Convention 81 Article 3 (ratified by the UK) – which states that the primary function of labour inspectorates is to protect workers and enforce their rights, and any additional duties must not interfere with or prejudice that primary function (for an in-depth review, see Beadsworth, 2025). A firewall is an important means of ensuring compliance with this core standard. The ILO has consistently cautioned that collaboration with immigration enforcement authorities risks undermining the primary worker-protective function of labour inspectorates and deterring workers from making complaints.

Trade unions and other worker support organisations have long backed a clear divide between labour market enforcement and immigration enforcement (see, e.g., Labour Exploitation Advisory Group, 2020; LAWRS et al., 2025), as have leading academic experts (e.g. Bernhardt et al., 2009; Farbenblum & Berg, 2021; Kerwin, 2013; Vosko, 2020). In London, a pilot study into secure reporting for migrant victims of crime is already under way with local authorities, commissioned by the Greater London Authority and led by the Labour Exploitation Advisory Group²³⁶.

At a minimum, a firewall requires that no information gathered by those responsible for protecting workers’ rights can be used for immigration purposes (Carens, 2008).

We were pointed to a precedent of good practice from the US involving both a firewall and clearly defined limits to joint inspections. It may be useful to the FWA, DBT and the Home Office to consider. In this example, the US Department of Labor and Immigration and Customs Enforcement (ICE) negotiated and formally agreed ways to “ensure that their respective civil worksite enforcement activities do not conflict and to advance the mission of each Department”²³⁷. This happened during the tenure of Professor David Weil a pre-eminent global expert on labour market enforcement, as the Obama-nominated Administrator of the Wage and Hour Division. The memorandum limits the

²³⁶ See the [pilot](#) of secure reporting for migrant Londoners, commissioned by the Greater London Authority and led by the NGO Focus on Labour Exploitation.

²³⁷ For more details on firewalls in the US context, please see the 2011 [Memorandum of Understanding](#) between the Departments of Homeland Security and Labor Concerning Enforcement Activities at Worksites.

enforcement activity of ICE in order to insulate and protect the integrity of labour law enforcement. An underlying principle of the memorandum is to promote the effective enforcement of labour law regardless of immigration status.

Overall, the project advisory groups voiced strong support for the introduction of a firewall. We were told that the FWA's reputation (positive or negative) would likely spread through informal networks and community organisations, and that once established it could be hard to shift for migrant workers. Nevertheless, some policy and operational staff did express concerns about how it might work in practice and questioned whether they were not legally required to share information indicative of breaches of immigration regulations. The current situation contains considerable discretion (as highlighted above), which can lead to variation between organisations and confusion on the ground (this is a point that we have long heard from those on the frontline and is also stressed in prior evidence and reports (e.g., Labour Exploitation Advisory Group, 2020; Low Pay Commission, 2022)). In the employer advisory group, there were also some concerns about the separation of powers between enforcement bodies.

Previously, different labour market enforcement bodies had different approaches and relationships at the intersection of employment rights and immigration regulations. The FWA now provides an opportunity to formalise a clear, consistent policy/framework that best advances and promotes the worker-protective functions of the FWA and allows labour rights to be more effectively enforced.

4. Enabling anonymous and third-party reporting to the FWA

We recommend that the FWA makes provisions for anonymous and third-party reporting, also ensuring that reports can be made by both third party and anonymous reporting at the same time. Anonymous reporting is something that can benefit all workers (UK-born or otherwise) and protect them from employer retaliation. The FWA should also allow trade unions (and other relevant organisations, such as NGOs and community groups) to report on behalf of *multiple* affected workers at once, to help consolidate complaints and ensure efficiency. Without provisions for anonymous and third-party reporting, many of the most marginalised and/or fearful workers will be excluded from raising concerns and exercising their rights.

Background

There is already precedent for anonymous reporting of labour market non-compliance, since the former GLAA, EAS and HMRC NMW all allowed it. When transferring their functions to the FWA, we recommend carrying over and expanding these provisions to cover the FWA's full remit. There is strong evidence, including from the UK, that anonymous crime reporting is key to increasing detection and can provide vital intelligence (Rabaiotti & Smith, 2024). Multi-lingual reporting is also important (see FWA5).

Third-party complaint mechanisms are increasingly common and are provided for in the EU Employer Sanctions and Seasonal Workers Directives, for example (de Lange, 2023). Internationally, empirical evidence underscores that fear of recriminations deters workers from exercising their labour rights and seeking redress (see also Chapter 2). For instance, a study of 2,000 workers in Alberta, Canada found that fear of retaliation was significantly more common in “the most dangerous workplaces” and “escalated as the exercise of rights became more active, concrete and potentially costly and disruptive for the employer” (Foster et al., 2018, p. 1). Such fears can also be particularly acute for those with a precarious or irregular immigration status. For example, a survey of temporary migrant workers in Australia found significant reluctance to report problems, linked above all to fears of losing

one's job and, to a lesser extent, fears of receiving less or worse work, or causing problems for co-workers (Berg & Farbenblum, 2025).

Fears of recriminations appear well-grounded: for instance, US survey research found that 43% of workers who complained to their employer or attempted to join a union in the preceding year “experienced one or more forms of illegal retaliation from their employer or supervisor. For example, employers fired or suspended workers, threatened to call immigration authorities, or threatened to cut workers’ hours or pay” (Bernhardt et al., 2009, p. 3).

Our advisory groups of precarious workers, worker representatives and labour abuse academics were strongly supportive of anonymous and third-party reporting. For example, precarious workers said they would feel safer reporting anonymously (less risk of recriminations) and that anonymous reporting would allow workplaces to be targeted without exposing individual workers as the source of complaints. Academics also pointed to positive lessons from experiences in Canada (in Ontario and British Columbia²³⁸).

While supportive of anonymous reporting in principle, some operational staff cautioned that anonymous reports do not necessarily provide the level of detail and specifics required to enforce. Partial or missing information might render some reports inactionable. Notably, anonymous reporting to the Fair Work Ombudsman has been in place in Australia since 2016, but there it reportedly functions “principally [as] a data collection tool, and rarely leads to a direct investigation by a FW [Fair Work] Inspector” (Judge & Slaughter, 2023, p. 76). We are aware of similar examples among UK police forces, where anonymous reports of certain crimes are often de-prioritised, partly due to resource constraints.

Such concerns point to a need for careful (and continued) thinking about how anonymous reports could be used beyond immediate reactive enforcement – for example, to build a stronger intelligence picture, or as a springboard for targeted inspections (the sheer scale of labour market non-compliance means targeting and prioritisation will continue to be important). We advise closely monitoring the quality and actionability of anonymous and third-party reports to the FWA, with a mind to developing ways to strengthen them if found to be wanting in systematic ways (e.g. fixed entry forms could help if certain crucial information is routinely missing).

Anonymous and third-party reporting also raise questions around the potential intersection between the FWA and Immigration Enforcement. A few advisory group members told us that it was a legal requirement for state bodies to provide all information relating to irregular migration status to Immigration Enforcement (although experiences in practice seem to diverge and there appears to be considerable scope for discretion within the bounds of the law, see FWA3). The publicised use of a firewall could address this tension and is a strong recommendation in itself (see FWA3).

²³⁸ See, e.g., [WorkSafe BC reporting tool](#).

5. Ensuring multi-lingual communications and reporting

It is vital that both outbound and inbound communications from and to the FWA are accessible in a wide range of relevant languages other than English and Welsh.

Background

We did not initially have a separate recommendation about language. However, while discussing various other recommendations (e.g. FWA1, FWA5, FWA7, FWA8, FWA9) our advisory groups repeatedly stressed the importance of multi-lingual options for both outward communicating from the FWA to workers and incoming contacts from workers (and third parties) to the FWA. This was particularly important in the views of workers' themselves in our precarious worker advisory group.

For example, we were repeatedly advised that the outward communications from the FWA (including information hosted on its website) should be tailored to the relevant languages of the target population, i.e. not be restricted to English and Welsh only (see FWA1, FWA8, FWA9). The FWA should look to build on the approach used at the former Gangmasters and Labour Abuse Authority (GLAA), which issued Workers' Rights leaflets in 23 languages²³⁹.

The same applied to the options for people to contact the FWA to report and seek advice. Thus, it was emphasised that anonymous and third-party reporting (FWA4) must be accessible in languages other than English and Welsh. In Australia, for instance, the Fair Work Ombudsman accommodates anonymous reports in 16 different languages (Judge & Slaughter, 2023). In seeking to set up a single point of contact (see FWA7), we were told of the importance of having contact forms in languages other than English and Welsh, as well as interpreting options for phone calls.

6. Developing a strong evidence base on 'what works' in tackling labour market non-compliance

We recommend that data collection, monitoring and evaluation be a cornerstone of the FWA, and that interventions be carefully designed and evaluated so that the FWA and others can learn and adapt based on what has been effective (or not), under what conditions, by what mechanisms, and at what cost-benefit it has worked.

Background

There is an opportunity for the FWA to learn not only from existing international best practice (e.g. by working with comparable regulators in the UK and abroad, using existing research, commissioning reviews in areas of policy interest), but also to contribute to the development of a stronger national evidence base on 'what works' in labour market enforcement. This would build and expand on the existing Information Hub function of the former ODLME.

There is data on promising practice already that deserves close attention (including but not limited to various materials reviewed in this chapter). There is also a lot to be learnt about 'what works' to build trust in state enforcement, to raise awareness of workers' rights and to instil the confidence to report violations, to encourage compliance among businesses, and to target enforcement more effectively. Crucially – and as our results repeatedly show – labour market non-compliance is a policy area with numerous context-specificities, contingencies and complexities. Risk and resilience factors vary

²³⁹ The [Workers' Rights Leaflets](#) are available on the National Archives.

depending on each specific labour market problem, and various mediating factors appear to affect lived experiences, meaning that not everyone affected by the same issue is equally harmed by it.

Given the broad and varied nature of the issues in question, it is unrealistic to expect one-size-fits-all interventions to work across different groups of workers and types of problems in the labour market (Cockbain et al., 2025; Judge & Slaughter, 2023). A realist approach to evaluation is particularly promising here (Pawson & Tilley, 1997; Sidebottom et al., 2025), as it shifts the focus from a generic ‘what works?’ to establishing what works (or doesn’t) for *each specific problems* for *whom*, under *which circumstances*, according to *which mechanisms* and at *what costs and benefits* (Johnson et al., 2015).

Moreover, it is vital to pay attention not only to the effectiveness of any interventions deployed in terms of meeting their intended goals, but also to any potential negative backfiring effects (i.e. so-called ‘unintended consequences’, which may or may not be foreseeable and foreseen), and to the possible ‘diffusion of benefits’ (i.e. when something has positive impacts beyond the original target), to ensure that enforcement actions will not simply lead to ‘displacement’ (i.e. when an issue relocates or get postponed geographically, temporally, or both).

Engaging with workers themselves in the development and design of FWA interventions is vital to help ensure that measures are responsive to actual needs and fit-for-purpose pre-deployment, saving money and promoting efficacy in the long run. Involving workers (and indeed other target audiences as relevant) in evaluations is also crucial to ensure that their voices are heard when setting metrics for success and considering whether something has benefited the population(s) it is designed to serve (Ash & Otiende, 2025). Investment in intervention development research may be particularly helpful too, given the complex systems involved, to avoid deploying resources in a way that poorly fits with end-users’ needs and priorities (see Kiss & Zimmerman, 2019, 2025).

Overall, there is a clear need to develop stronger data collection, monitoring and evaluation of the FWA’s activity and its impacts. This research can be conducted both internally and independently. Research could help understand the impact of different compliance and enforcement practices and identify best practice; for example, if it is worth assessing the impact of increased and/or more targeted inspections on estimated rates of non-compliance. The results could help inform the FWA’s practices and, if applicable, help make a case for increased funding. A cost-benefit analysis would also be valuable, taking into account the wages recovered for workers, the fines collected by the Treasury, and other indirect or non-monetary benefits (e.g. reduced reliance on in-work benefits, reputational gain for the Government).

More generally, the FWA’s regional setup could be leveraged for impact evaluation, with different regions receiving varying mandates and strategies in a way that could be juxtaposed. Small- and medium-scale randomised controlled trials or other, similar designs should also be considered, to gather the highest quality statistical evidence possible²⁴⁰. We also recognise that randomised control trials are not always feasible for complex, sensitive issues (Sidebottom et al., 2025). In any case, interventions should also be accompanied by targeted interviews with workers and businesses as well

²⁴⁰ Given the paucity of causal evidence on interventions in this space, there is clear value in investing in more causal evidence research (including via large, randomised control trials, and alternative experimental designs such as block- and cluster-randomised trials, stepped-wedge designs, and so on, as appropriate).

as other qualitative fieldwork, to help understand experiences in depth, and identify potential (unintended) consequences on impacted people and companies.

As a longer-term goal, the FWA could usefully consider setting up a ‘what works’ centre for labour market non-compliance and other labour market exploitations, which could be modelled on the College of Policing’s ‘What Works Centre for Crime Reduction’²⁴¹ or on the Youth Endowment Fund’s Toolkit ‘What works to prevent children and young people becoming involved in violence’²⁴².

7. Ensuring the FWA is easily accessible and working effectively with DBT and Acas to enable and publicise access to a single point of contact

With the launch of the FWA, it is important that the new body is not just visible but also accessible to those who need it. One thing that can boost accessibility is having a single point of contact, but setting this up within the FWA for advice and reporting (the line between which is not neat) would require significant investment of money, time, and expertise. Regardless, there is a need to establish clear systems for how breaches within the FWA’s remit will be handled in terms of advice and reporting, not least ensure that these violations are actually reported. We encourage DBT, the FWA and Acas to work together to explore options in this area, as setting up such a system is more complex than might appear at first glance. Arguably, the paramount consideration here is providing workers with ready access to advice, support, and reporting in a way that minimises friction (e.g. avoid being unnecessarily passed between services, having to repeat one’s story, cut back on delays etc.). Furthermore, it should also be possible to connect to and from other organisations as needed (e.g. switchboarding in case of phone calls).

Background

To be effective, it is crucial for the FWA to be easily contactable (directly and/or indirectly) to report potential violations. We recommend the FWA work with DBT and Acas (also DBT-funded) to determine how best to ensure workers have optimum access to advice on their rights, enforcement and pathways to report breaches to the FWA. We see clear benefits in close engagement with services that already exist, and how they might be extended or complemented (not duplicated) with the FWA’s introduction. Ensuring appropriate resourcing will be of ongoing importance, especially to accommodate a potential increase in reporting as the FWA becomes embedded and awareness regarding its services and support rises.

There is a subtle but important distinction worth pinpointing here between having a single point of contact for enforcement *complaints* and single point of contact for employment law *advice*. The issue is that from workers’ perspectives, this distinction is likely hard to gauge (based also on Acas’ experiences to date). The advice function is something that Acas (state service) and Citizens Advice (NGO service) both already address, although with different scope and goals.

Overall, there was considerable consensus across and within our advisory groups that it will be essential to maximise the FWA’s accessibility, particularly to workers and those who support them (although businesses were also mentioned). Advisory group members stressed that having an accessible service means ensuring a range of contact options, to cater for worker preferences

²⁴¹ See the College of Policing’s [What Works Centre for Crime Reduction](#)

²⁴² See the Youth Endowment Fund’s [Toolkit on What Works to Prevent Youth Violence](#)

regarding different modes of contact (e.g. online form, email, telephone), times of the day/week, and languages spoken (see FWA5).

Many of our advisory groups were supportive of having a single point of contact system. Whether within the FWA or elsewhere, a single point of contact can streamline support and avoid workers having to tell their stories more times than necessary and/or feeling bounced between organisations. However, from a practical standpoint, it may be extremely challenging to streamline diverse streams of support into a single point of contact covering everything from general advice to complaints for enforcement. These challenges include providing in-depth training to the call handlers so they could provide appropriate and nuanced support (e.g. identifying missing hidden discrimination signals during a call) and seamlessly integrating a single point of contact with other support services without creating considerable cost and operational difficulties.

Moreover, only certain labour market-related violations will be within the FWA's enforcement remit, at least initially. Its scope may be widened later but would still likely remain limited to a subset of employment rights. Other work-related rights are and will remain either enforced by other agencies (e.g. the Health and Safety Executive for health and safety breaches, the Equality and Human Rights Commission for lack of reasonable adjustments, and their equivalents in Northern Ireland) or left to workers to enforce themselves via Employment Tribunals (for more on state enforcement gaps, see (Pósch et al., 2024).

Within the FWA's own remit, it would be useful to determine (together with DBT and Acas) which areas (if any) should remain with the FWA as the first point of contact for workers and those supporting them, and which might be better covered by the existing support system Acas offers. We recommend developing clear guidance and systems for how the FWA will be contactable, by whom and to what ends. If the FWA will take direct reports from the public, then effective triaging will need to be developed so that those getting in contact are promptly and effectively directed to the most appropriate support and reporting pathways if the issues reported are outside the FWA's remit. There is a need to set and communicate clear parameters regarding how the FWA will support direct contacts, and in which areas. For example, the FWA could be publicised as the first point of call for NMW breaches or unpaid holiday pay. However, this sort of limited initial offer might lead to confusion and also might not have sufficient reputation with most workers. Whatever the decision taken in future policy, workers need to be aware (or at least be able to find out easily) about it so that they can report potential violations.

If workers can seek advice and/or report directly, there will also likely be a need for transfer in the opposite direction, whereby the FWA can connect people to other regulators and services if their concerns fall partially or wholly outside the FWA's enforcement remit. There needs to be clarity for workers on what the FWA will and will not cover, to minimise unnecessary redirections. Additionally, should the FWA be referring outwards in large volumes, some relevant experts emphasised that there will be resourcing implications for the places receiving these contacts (be it state- or non-state services).

Notably, about a decade ago Acas absorbed the Pay and Work Rights helpline, precisely as a way of streamlining support and addressing fragmentation and confusion among workers that having a separate contact point had created (Acas, 2024). Currently, Acas are the initial support body for workers calling about NMW/NLW violations. When considering building a new single point of contact for that and other violations within the FWA's remit, one needs to be mindful about risks of re-fragmentation.

One promising route forward, therefore, could be to empower Acas and (with sufficient funding) actively publicise it as the single point of contact not just for employment law advice but also for reporting of all breaches within the FWA's remit. This could help further increase Acas' prominence and visibility too. The resourcing implications would need, of course, careful consideration given the likelihood of an expanded workload and to ensure that high standards are maintained. We were advised that an upsurge in contacts could not currently be accommodated without additional funding due to the existing capacity constraints faced by Acas. If the decision is to route contacts to the FWA via Acas (in full or in part) then that must be communicated to workers, with a particular focus on reaching those not already aware of the service.

Indeed, while Acas has substantial expertise in this field, and established systems (including the ability to triage and transfer workers to other agencies as needed), our survey testing, interviews and focus groups (all non-representative), all indicated that levels of awareness and familiarity with Acas and its offerings may be limited among precarious and/or lower paid workers. We understand that Acas' own data indicates that awareness of the service increased from 2021 to 2025 to 77% (from 56%) among individuals and 90% (from 83%) among small and medium-sized businesses (Acas, 2025). It may well be that targeting precarious workers could further increase this reach.

8. Working with the Department for Business and Trade to pilot an age-related notification scheme aimed at informing young people about their employment rights, the FWA, and how to access support if needed.

Official notifications targeted by age are already in place for various social issues, including health-related communications and voting registration. Applying similar for employment rights would help reach wide but targeted swathes of the population at key junctures in their lives (such as age 16 and 21). We recommend piloting such an initiative with the goal of reaching maximum impact. If successful, this could be broadened to other groups as well²⁴³.

Background

Focusing an initial pilot for labour rights-related notifications at young people could be valuable for several reasons. First, across our research, we found a broad sense (and many personal accounts) that young people are less likely to know their rights as workers. Second, our survey findings indicate that as workers get older, they experience more categories of legal violations and other issues (the youngest and oldest tended to be most shielded). Third, reaching people early with information about their rights could help avoid conditioning young people to simply expect and tolerate poor treatment at work (Grosemans et al., 2020).

²⁴³ We also discussed the possibility of targeting workers in non-traditional work (possibly via the point of completion of self-assessment tax returns), as this is another group at higher risk of various forms of labour market non-compliance and other work-based harms. There was support for this idea across focus groups, but it did not resonate as widely and strongly as the equivalent option aimed at young people. Consequently, we suggest prioritising age-related communications in the first instance but, depending on impact, to consider expanding such a scheme to non-traditional workers later. Other suggestions discussed in the groups for targeted information included workers with disabilities (another high-risk group for various breaches, discussed later in this chapter) and people returning to the labour market after a period of absence, e.g. due to illness, maternity leave, other caring responsibilities, or imprisonment.

These arguments also resonate with a major mixed-methods study from Canada (the Better Work Project) that concluded, among other things, that:

“Our research strongly suggests that poor work quality is pervasive in young people’s experience, and the following three corrective measures stand out as especially important:

- Fostering higher expectations among young people about work quality (i.e., “expect better”)
- Fostering a greater awareness of workers’ rights among young people
- Fostering the capacity of young people to make change at work, through collective voice and mobilization” (Noack et al., 2024, p. 4)

The specifics of an age-related notification scheme would need development, but we would recommend trialling it at multiple critical age points: for example, targeting 16-year-olds (common entry into labour market) and those in their early 20s (when the risk of various forms of non-compliance starts to rise). The Level 1 Award in Workers’ Rights and Labour Exploitation²⁴⁴, co-developed by the former GLAA, could serve as a good model for this.

Based on our quantitative and qualitative results, and advice from the advisory groups, key areas for focus in such communications could usefully include rights to NMW, payslips, contracts and holiday pay, plus information about the various types of employment status, the FWA, and other enforcement agencies. It could be especially helpful to have a section for the rights of non-employees, given that early career is a point in life when precarious work concentrates (Pósch et al., 2024). Again, language matters here too (see FWA5). Our advisory groups recommended considering a range of different communication modes – e.g. text, email, letters. There was no clear consensus on what might be most effective, and tailoring to the target demographic’s actual usage patterns (which other available data may readily show) could well be sensible.

9. Working with UK Visas and Immigration and Acas to ensure that workers coming to the UK on visas or permits to travel are issued with information about their employment rights, the FWA, and how to access support if needed

We recommend that anyone entering the UK with the right to work is given clear information on their employment rights (including trade union rights), the FWA, and other sources of advice and enforcement should breaches occur. This should also include information specific to the terms of their visa, while still having consistency of core information. As elsewhere, these materials must be available in several languages (see FWA5).

Background

Migration and associated sources of ‘right to work’ status, were significantly associated with various violations in the Working Lives Survey (see Chapters 4 and 6). Given our findings about how immigration status can be associated with differential patterns of risk, migrant workers are another obvious priority group for targeted communication on key rights. We understand from the advisory groups that some working visas (e.g. the Seasonal Worker Visa) already come with this sort of information, but that it is not standardised for those entering the UK on other working visas or permits to travel that give the ‘right to work’ (e.g. student visas, spousal visas). It was also noted that the

²⁴⁴ See Skills & Education Group Awards ‘[Level 1 Award in Workers’ Rights and Labour Exploitation](#)’.

enforcement around agricultural workers is devolved in Scotland to the Agricultural Wages Board, meaning there are national specifics for this industry that require consideration.

In the labour abuse academics advisory group, we were told that resources of this nature were distributed at the border to farm workers on arrival in Canada (starting during the Covid 19 pandemic) and that had worked well, and that it is also worth considering distribution routes through various other organisations that interact post-arrival with migrant workers (e.g. specialist charities, foodbanks, community groups).

The work of the Fair Work Ombudsman in Australia was also signposted as useful for the FWA to explore further, given their strong focus on communication and education. In the UK, we were also directed to the history of the Workers Registration Scheme (around the time of the EU enlargement), and how, when it was in place, workers who were part of the scheme were issued with a leaflet on their rights drawn up by the TUC, and described in the group as “moderately effective but widely read”. This points also to a more general caution we often heard, namely that improved communication on rights is important but not sufficient on its own.

10. Commissioning regular research aimed at providing a clear and up-to-date picture of the scale and nature of labour market non-compliance (and related work-based harms) in the UK

We recommend that the FWA commission regular research to monitor emergent issues and macro-trends in labour market non-compliance and other work-based harms. This is vital for the Secretary of State, via the FWA, to deliver on its statutory requirement to report on the scale and nature of labour market non-compliance (see below).

Background

The Employment Rights Act 2025 calls upon the Secretary of State to prepare and publish a labour market enforcement strategy every 3 years. This is to include as assessment of:

- “(i) the scale and nature of non-compliance with relevant labour market legislation during the period of three years ending immediately before the strategy period, and
- (ii) the likely scale and nature of such non-compliance during the strategy period” (Section 94, Employment Rights Act 2025)

Having a robust, nuanced and contemporary picture of the problems at hand is also vital not only in delivering on statutory requirements but also enabling the FWA to develop labour market enforcement strategies that are strongly evidence-informed, responsive to the changing landscape, and can prioritise resources effectively. As this research project has shown, there is considerable value in measuring labour market non-compliance alongside other work-based harms, to understand more about the intersection between different issues and policy areas where more joined-up work may be required.

Representative quantitative research is vital for understanding prevalence and drawing generalisable conclusions (‘scale’). Qualitative research is particularly valuable in highlighting new or unexpected issues and exploring problems in depth and nuance, prioritising the perspectives and experiences of those affected (‘nature’). Mixed-methods research combines both breadth and depth of insights and is therefore likely preferable.

One of the primary findings of our survey is that labour market non-compliance and other work-based harms are more prevalent than originally expected. To monitor **macro trends**, therefore, there does not seem to be a need to commission surveys on particular subpopulations (such as precarious workers), given the high volume of issues reported across the workforce at large. In other words, traditional population surveys of people in work are likely to be sufficient for the purposes of tracking work-related violations and other harms (in as much as they contain large numbers of workers). Tailored surveys are unlikely to be required for effective identification of *most* issues pertinent to the FWA's remit, and any changing trends for such issues.

Nevertheless, it is also crucial to recognise gaps in the coverage of traditional population surveys to some of the *most precarious*: e.g., those who are transient, do not speak good English, or are otherwise hard to reach. Tailored surveys for particular subsets of workers may still be useful and warranted when thinking from a harms' perspective; for example, for those on short-term visas, such as the Overseas Domestic Worker visa or the Seasonal Worker visa, particularly given the additional risks, harms and barriers to accessing redress already identified in relation to these and other short-term and/or otherwise restrictive visa schemes (see, e.g., Focus on Labour Exploitation, 2024; Sharp & Sedacca, 2019; Thiemann et al., 2024). Such groups are not well-covered in general population surveys either, for example because many surveys are carried out exclusively in English or due to difficulties reaching those who are mobile or geographically isolated (e.g. living in remote and often temporary accommodation such as in caravans, relocating frequently for agricultural work)²⁴⁵.

One of the current specialist surveys is the 'Seasonal workers survey' run by DEFRA (ONS, 2025). This is a rich survey, where they ask several questions which are similar to ones in the Working Lives Survey. Nevertheless, from a methodological perspective, it suffers from a series of limitations. First, distribution of this survey relies on invitations shared by industry partners, which leaves them the option to exclude potentially problematic groups or individuals. Second, this survey uses a non-probability, opt-in design, which means inferences to the wider seasonal workforce should be viewed with caution especially compared to traditional probabilistic surveys (such as the survey used in the project). Finally, most surveys of this type are retrospective in nature, which means that individuals do not reflect on their current circumstances.

There are several options for a regular prevalence survey, one which could effortlessly integrate the instruments developed, tried and tested for the 'Working Lives Survey'. This survey could track changes in the work-related legal violations and harms discussed in the report. There are three options that could be considered depending on the resources available. In descending order of both cost and quality, these are: (1) rolling/continuous cross-sectional survey; (2) leveraging an existing high-quality survey; or (3) standalone cross-sectional survey.

A standalone survey could be modelled on other high-quality surveys such as the Crime Survey for England and Wales (CSEW), which provides continuous monitoring across a large number of topics, with certain subsections of the sample receiving new, experimental, and/or rotating questions modules depending on particular interests at the time. The CSEW is a rolling/continuous cross-sectional survey, with a clear upside that such a design would be able to provide the highest quality of

²⁴⁵ The Seasonal Worker Taskforce, co-ordinated by the NGO Stronger Together, also produces valuable and timely survey evidence (see, e.g., [Stronger Together, 2026](#))

evidence. The downside of this approach is the immense cost associated with it: the CSEW is estimated to cost around £5.9m each year²⁴⁶.

An alternative would be adapting existing high-quality surveys by introducing a set number of questions to measure specific kinds of non-compliance. The Labour Force Survey (LFS) would be an excellent vehicle for such an approach, as it already includes several questions that might help with identifying the workers these question(s) are especially aimed at. For example, should the FWA decide to focus on contract- and key information document-related violations, this would only require two additional questions added to the LFS. With payslip-related violations, two or three extra questions would be needed (depending on whether itemisation were also in scope). Instead of commissioning a whole survey, a small number of questions added to even a random subset of surveys could provide a cost-effective alternative.

Finally, a third option would be using a standalone repeated cross-sectional survey commissioned at regular intervals (such as every year or every second year). The European Social Survey, which reaches around 2,000 respondents every second year, is an adequate example of such a survey. The fieldwork for the latest wave of this survey was estimated to cost around £840k for the UK data collection²⁴⁷. These cross-sectional surveys could provide high-quality evidence, by including both main (unchanged) modules that could provide continuous feedback regarding the evolving nature of labour market-related violations and harms, and rotating (changing) modules designed to address emergent issues or priorities.

Any of the above approaches could provide a robust overall grasp of the scale of labour market non-compliance in the UK. The FWA could also look to international comparators and best practice for how to meet this requirement. For instance, New Zealand's Employment Monitor provides comprehensive insight into perceptions and experiences of both workers and employers²⁴⁸.

Recommendations to others beyond the FWA

This section covers recommendations to other parts of Government, to trade unions and other sources of worker support, and to employers and their representative bodies.

Recommendations to other parts of Government across the UK's four nations

Our research indicates there are numerous steps that other parts of government across the UK's four nations could usefully take to help ensure workers' rights are protected and enforced, to improve working conditions at large, and level the playing field for businesses. Table 12.2 gives an overview of our recommendations, an indicative timeline and an assessment of the strength of the evidence. As before, 'early' refers to implementation and assessment preferably within a year, 'mid-term' to a two to three-year window, and 'long-term' to four years plus. Recommendations to the FWA that also require action from other parts of government are included here, but the detail is not repeated.

²⁴⁶ Based on the inflation-adjusted cost of the survey, determined calculated using this ONS (2023) [release](#).

²⁴⁷ Based on [this release on Contracts Finder](#)

²⁴⁸ See Verian & Ministry of Business, Innovation & Employment (2025) [The 2025 Employment Monitor](#)

Table 12.2: Overview of our recommendations to parts of Government across the UK's four nations, other than the FWA

No.	Recommendation	Adoption timeline	Quality of empirical evidence
Gov1	For the Department for Business and Trade (DBT) to maximise the FWA's potential to be a transformative vehicle for upholding workers' rights in the UK, by ensuring adequate funding, connecting its needs across other policy areas, and incentivising the FWA to demonstrate value for money, effectiveness and impact	Early and ongoing	No specialist expertise (NSE)
Gov2	For the Health and Safety Executive (HSE) and Health and Safety Executive for Northern Ireland (HSENI) to incorporate this study's findings to support their own work, and to work closely with the FWA around the interplay of labour market non-compliance and health and safety-related issues	Early to mid-term	Weak
Gov3	For the Equality and Human Rights Commission (EHRC) to ensure that new requirements on employers to take all reasonable steps to prevent third party harassment are adequately implemented and enforced	Early to mid-term	Weak
Gov4	For the EHRC and Equality Commission for Northern Ireland (ECNI) to apply our empirical findings to their work, in order to find better ways to protect the rights of workers with disabilities and workers with dependants, and to advance the evidence base on 'what works'	Early to mid-term	Weak
Gov5	For DBT and the FWA to work with the Office for National Statistics on possibly revising the Labour Force Survey question about membership of trade unions and staff associations, in order to capture more informative, consistent and accurate data on worker organising	Early to mid-term	Moderate
Gov6	For education departments in England and the Devolved Administrations to review curricula and ensure there is sufficient, appropriate and effective information in the school curriculum on employment rights, worker organising and access to justice	Mid-term	NSE
Gov7	For the UK Government and Northern Ireland Executive to actively consider expanding the scope of state enforcement of underpayment of workers due to unpaid extra hours of work	Mid-term	Weak
Gov8	For the UK Government and Northern Ireland Executive to scope possible amendments to laws/regulations, aimed at requiring businesses to inform workers about their general employment rights (not just their own contractual terms) and about avenues for advice and enforcement	Mid-term	Weak

No.	Recommendation	Adoption timeline	Quality of empirical evidence
Gov9	For the Home Office to commission the Migration Advisory Committee to review possible amendments to the work visa and sponsorship system in aimed at providing greater visa security for migrant workers that enables to leave exploitative employers, voice complaints and enforce their labour rights	Mid-term	Weak
Gov10	For the UK Government to continue to pursue reforms to employment status	Mid-term	Weak

1. For the Department for Business and Trade to maximise the FWA's potential to be a transformative vehicle for upholding workers' rights in the UK, by ensuring adequate funding, connecting its needs across other policy areas, and incentivising the FWA to demonstrate value for money, effectiveness and impact

Many stakeholders have long raised concerns about inadequate resourcing for labour market enforcement. Given the prevalence of legal violations and other work-related harms issues identified in the Working Lives Survey, the current funding level for the FWA seems to be too low. This point holds even considering that only some of the violations in question are squarely within the FWA's enforcement remit and others only under certain circumstances (see Chapter 8; and Pósch et al., 2024).

Increased resource allocation to the FWA would likely be recouped (at least partially) through enforcement action, although it is important that the FWA demonstrates value for money, effectiveness and impact. Given the prevalence of labour market non-compliance and its overlaps with work-related violations and harms in other policy areas, we suggest that DBT seeks a joined-up approach with other governmental departments and beyond to ensure a full-systems response, avoid silos and provide adequate support for workers.

Rather than seeing labour market non-compliance as an employment rights issue only, it is also worth thinking about the public health dimension: not least because negative mental health effects due to work were strongly associated with the other categories of work-related violations and other harms in the Working Lives Survey.

Background

The UK Government has firmly stated its commitment to improving workers' rights and their enforcement, and the FWA is an important vehicle towards that. While we appreciate the competing financial pressures that exist, our results point to **pervasive non-compliance and other work-related harms across the UK labour market**. These are not exceptional issues. To recap, our quantitative data indicates that **around 7 in 10 workers were affected by at least one of the main categories of violations and harms in focus in the preceding two years alone (Chapter 8). This amounts to roughly 26.6-28.7 million workers across the UK**. Boosting compliance could positively impact on the lives of millions of workers, plus all those who depend on them. Improving compliance could also help the businesses who are compliant, by reducing unfair competition through

degradation of standards, improving staff retention and reducing loss through sickness and turnover (see Mayfield, 2025, discussed further in Business2)

While it is useful to explore how existing funding levels could be used optimally by the FWA, there is also a strong case for enhanced investment in labour market enforcement from DBT.

Given the scale of potential breaches identified, existing funding levels appear too low. Even before this study's much-needed evidence on the scale and nature of labour market non-compliance, UK labour market enforcement had long been characterised as under-resourced, including in relation to ILO benchmarks for inspectors (e.g. Judge & Slaughter, 2023; Metcalf, 2018; Migration Advisory Committee, 2014). While a cost-benefit analysis of increased funding is beyond our scope here, there are obvious arguments as to how it might deliver valuable returns to the UK Government and society at large. This applies not only financially (recouping proportions of operating costs via fines, securing taxes previously unpaid on non- or under-paid wages and, for workers themselves, compensation) but also reputationally and morally: by making the UK a better place for workers and for businesses who respect workers' rights.

DBT and other areas of the UK Government and Devolved Administrations could further support effective compliance and enforcement of workers' rights by enabling linkages with other cross-cutting policy areas (e.g. education, health) and taking a joined-up approach to employment rights that puts workers at its centre. This could have funding implications for other governmental and non-governmental agencies and organisations whose work intersects with the FWA's, as they also support workers to learn about their rights, enforce them, and access redress as needed (e.g. Citizens Advice and other NGOs, Acas, Employment Tribunals). There is scope too for Governments to work with the FWA to boost awareness of workers' rights and of the FWA through other touchpoints (e.g. healthcare, housing, education, the benefits system). The operational specifics require further development to maximise impact.

2. For the Health and Safety Executive (HSE) and Health and Safety Executive for Northern Ireland (HSENI) to incorporate this study's findings to support their own work, and to work closely with the FWA around the interplay of labour market non-compliance and health and safety-related issues

Given the extremely high prevalence of negative mental health effects due to work (at 37.48%, this was *the* most common issue identified throughout the Working Lives Survey), there is an urgent need for more collaboration between the FWA and HSE and HSENI, and their sponsoring departments as needed. A preventative approach should be central here, while also looking to ensure enforcement is as targeted and effective as possible. While aware that such collaboration already existed between the HSE and the ODLME, these efforts should be strengthened and broadened with the FWA, given the scale of issues identified in this research.

- Background

Work-related health problems – including physical injury, negative mental health impacts and concerns relating to mental and/or physical health – fall outside the then ODLME's and FWA's remit. They come instead under the purview of the HSE and the HSENI: respectively Executive Non-Departmental Public Bodies of the Department for Work and Pensions and the Department for the Economy in the Northern Ireland Executive.

However, the Working Lives Survey shows **a deeply concerning prevalence of negative mental health impacts of work: affecting over 1 in 3 workers in the UK over the past two years, or an estimated 14.2-15.4 million people**. As such, policymakers concerned within improving working conditions and workers' lives in the UK should consider addressing poor health due to work a clear priority, as was also emphasised by the Mayfield Review (2025).

Under the Health and Safety at Work, etc. Act 1974 and Management of Health and Safety at Work Regulations 1999, businesses are already legally required to ensure the health, safety and welfare of their workers, by carrying out a risk assessment and acting on the findings. That includes identifying workplace hazards that can cause mental or physical harm and taking all reasonable steps to prevent and mitigate exposure to such hazards.

Our findings indicate that much more needs to be done to address work-related health problems and concerns – both preventatively to reduce the stressors leading to poor mental health in the first place, and reactively to ensure that appropriate support is available. The most common causes reported by workers for health-related concerns were high intensity work, unmanageable workload, toxic organisational culture, and – particularly among precarious workers– insufficient rest breaks. If laws are not vigorously upheld, they can be easily ignored in practice. We saw that in the qualitative interviews with various examples of workers having rest breaks on paper but being expected to work through them in practice.

The HSE's latest figures (using LFS data) indicate that “mental health conditions remain the primary driver of work-related ill health, with 964,000 workers reporting stress, depression or anxiety caused or made worse by work in 2024/25” (HSE, 2025a). According to this data, “52% of all work-related ill health and 62% of all working days lost due to work-related ill health” were attributed to stress, depression or anxiety (HSE, 2025b, p. 6). Aside from the considerable human costs, reducing work-related mental ill-health is important from the perspective of productivity- and tax-related gains for the UK economy.

Prior to the FWA launching in April 2026, HSE already engaged with the ODLME and the three labour market enforcement agencies it coordinated. Our findings strongly underscore the importance of close and scaled up work between the FWA and HSE and HSENI. We are aware that the HSE already has a strong focus on prevention, in line with a public health model that encompasses primary, secondary and tertiary prevention, and is conducting a major programme of research projects to support its strategic plan for 2022-2032. Our results can inform and support work towards the HSE's strategic objective to “reduce work related ill-health, with a specific focus on mental health and stress”, in light of a trend towards increasing work-related ill health, despite the UK having “one of the lowest rates of fatal and non-fatal work-related injury across Europe” (HSE, 2022, p. 5), and could we hope add similar value to the HSENI's work. We also recognise the importance of engaging other stakeholders in the space, including the Department for Health and Social Care, the NHS, trade unions, businesses, and beyond.

When we spoke to our legal experts' advisory group, they emphasised that, on paper, occupational health and safety legislation should apply equally to physical and mental health at work. In practice, they suggested, detection, early risk assessment and prevention strategies can be more difficult for mental health harms. The main challenge, as they saw it, was not amending the laws but ensuring sufficient compliance and effective enforcement.

Another issue is that litigation to date tends to focus on the laws as they apply to particular individuals' experiences (framed as individual vulnerability), as opposed to the broader structures give rise to poor mental health at work (i.e. the underlying, systemic features shaping how a workplace operates, such as economic, cultural and organisational considerations) (Davies, 2021). Yet, addressing structural drivers of mental ill-health at work could yield far greater preventative benefits – particularly given the sheer scale of the problem identified via the Working Lives Survey.

3. For the Equality and Human Rights Commission (EHRC) to ensure that the new requirements on employers to take all reasonable steps to prevent third party harassment are adequately implemented and enforced

The ERA 2025 puts new statutory requirements on businesses regarding third-party harassment of staff. We recommend that these are adequately monitored and that non-compliance is enforced²⁴⁹. Bullying and harassment at work may breach the Equality Act 2010 and the EHRC is the primary²⁵⁰ body responsible for state enforcement on bullying and harassment in England, Scotland and Wales.

Background

Bullying and harassment are difficult to define, and the laws around these issues are complex (see Chapter 6 and, e.g., Barmes, 2002, 2016). **Our quantitative findings indicate that close to one in four workers (23.91%) in the wider workforce experienced bullying or harassment at work in the past two years. For precarious workers, the prevalence was close to one in five (18.38%).** As with many other issues in this study, these rates are worryingly high, resonating with prior research on workplace bullying which stresses that “a massive and growing number of working people [are left] to cope on their own with workplace problems, and a tiny proportion to find their way through the alienating, often unsatisfying ordeal of litigation” (Barmes, 2016, p. 1).

We also identified significant differences between precarious workers and the wider workforce in the identified source of bullying and harassment. For precarious workers, it was most commonly customers (or equivalent, e.g. patients) (46.49% compared to 20.19% in the full workforce)²⁵¹. Our qualitative data demonstrated in more detail how badly impacted people could be by bullying and harassment at work, and we were told of distressing experiences that workers in some industries/occupations saw as par for the course, unfortunately. Some felt they had little choice but to tolerate such mistreatment, others quit entirely as a result.

²⁴⁹ Due to time constraints and the specialised nature of this topic, this is the one recommendation on our final list that was not discussed in our advisory groups. However, we sought (and received) targeted legal expert feedback afterwards. On deliberation, we include it here because of high levels of self-reported bullying and harassment at large and the source of it for precarious workers most commonly being identified as third parties.

²⁵⁰ N.b. Depending on the context, bullying or harassment may feature criminal offences involving verbal, physical or sexual abuse or harassment, in which case the police have an enforcement remit here too. This is not applicable though in the context of the ERA 2025 requirements discussed here.

²⁵¹ In contrast, for the wider workforce, harassment from above (managers or supervisors) was the most common (57.55% compared to 33.53% among precarious workers). Rates of bullying and harassment from co-workers were broadly similar for the two samples (44.87% in the full workforce, 41.86% among precarious workers).

We therefore cautiously welcome the ERA 2025 introducing new statutory requirements on businesses to take reasonable steps to prevent the third-party harassment of their staff (Section 21). These come into force in October 2026. Notably, the new provisions apply only to employees and applicants, whereas harassment protections in other legislation applies to employees, ‘limb (b)’ workers, and the self-employed alike. We suggest these are gaps in coverage that might usefully be filled.

We also have questions around how the new statutory requirements might apply in some of the contexts we were told about by interview participants (particularly in health and social care where participants reported verbal and physical abuse from patients/clients without full mental capacity, e.g. due to dementia, mental health problems, addiction and withdrawal). Further work should be undertaken by the UK Government to clarify this gap, so that businesses and other organisations could take adequate steps towards prevention and implement appropriate worker protections.

4. For the EHRC and the Equality Commission for Northern Ireland (ECNI) to apply our empirical findings to their work, to find better ways of protecting the rights of workers with disabilities and workers with dependants, and to advance the evidence base on ‘what works’

The results of the Working Lives Survey have potential implications from the perspective of equalities legislation. Considering where protected characteristics apply or could apply, we focus here on two groups of workers who stood out as being at particular risk of experiencing work-related legal violations and other harms. First, those with one or more longstanding physical or mental impairment, illness or disability (hereafter for brevity’s sake ‘workers with disabilities’). Second, workers with dependants (irrespective of whether these dependants are children or adults). Thus, we encourage the EHRC and ECNI to use this study’s findings to help inform their strategic work and operational activities to increase compliance and target enforcement around bullying, harassment and discrimination in the workplace. More broadly, we also recommend investment into targeted research to better understand ‘what works’ in preventing and responding to bullying, harassment and discrimination at work.

Background

Our results show that workers with disabilities experienced higher rates of bullying and harassment, physical injury at work, negative mental health impacts of work (and greater severity thereof), and leave-related difficulties. However, they experienced lower rates of unpaid extra work. Meanwhile, workers with dependants were more likely to experience unfair deductions (in the full workforce), leave-related difficulties (among precarious workers), and NMW violations (among the full workforce). Among precarious workers, the value of wages lost in this way was also higher among those who had dependants than those without or with fewer dependants.

Our advisory groups were widely supportive of the need for additional action to support these (intersecting) groups, but we heard few concrete suggestions of what might help. That said, some explicitly welcomed the changes to Statutory Sick Pay that then Employment Rights Bill envisaged.

Overall, we recommend that the EHRC and ECNI reflect carefully on this study’s findings and how they fit within their broader evidence bases. We also suggest they consider appropriate and targeted consultation on the implications of the equalities-related findings and/or follow-up research in the areas discussed here. That could help better understand the needs and experiences of these workers, additional barriers they might face to exercising their rights, and how these might be mitigated. Going

forward, it would be valuable for the FWA, EHRC and ECNI to work closely on overlapping concerns around workers' rights, their protection and enforcement.

More generally, we also recommend investment in evaluation research to build stronger evidence base on 'what works' in preventing and responding to bullying, harassment and discrimination at work.

5. For DBT and the FWA to work with the Office for National Statistics on possibly revising the Labour Force Survey's question on membership of trade unions and staff associations, in order to capture more informative, consistent and accurate data on worker organising

We recommend the aforementioned bodies work together to review a question in the Labour Force Survey (LFS) that currently conflates two distinct concepts with different legal and popular meanings: trade unions and staff associations. **Changing this question would help ensure the Office for National Statistics is able to capture maximally informative, consistent and accurate data on organised labour in the UK.** At present, the challenge is that it is simply not clear how widespread staff associations are, and thus how much their inclusion is distorting the current national statistics on trade union membership. Therefore, after a short period of assessment, we would recommend changing the existing question to solely capture trade union membership.

Background

Our results strongly indicate the need for and benefits of amending one question in the LFS. At present, this question asks respondents whether they are a "member of a trade union or staff association", the same question we used in the Working Lives Survey. However, our question testing (cognitive interviews) and – in particular – our later focus groups with workers showed considerable confusion and inconsistency around how 'staff association' is understood. People routinely used this term in very different ways and for a whole range of more informal structures (e.g. LGBTQI+ staff networks). A clear gap emerged between the statutory definitions of a trade union²⁵² and people's intuitive understanding of the terms trade union and staff association.

We can see one rationale for combining the two in the LFS, since as explained in Chapter 11, we acknowledge that the line between 'trade unions' and 'staff associations' is not absolute: staff associations can meet the statutory definition of a trade union and then apply to be listed as a non-independent trade union. The crucial distinction to reiterate here is that no staff association can be an *independent* trade union, since they are by default employer authorised/under management control.

Changing this survey question would help avoid conflating independent trade unions with a wide variety of informal structures with few if any relevant powers. Trade unions not only have a much more extensive and clearly defined scope and power, but unlike staff associations the term trade union was understood to a level where virtually nobody had a problem identifying if they were a member or not and what this would mean for them in practice. Our qualitative results also clearly suggest trade unions are seen and experienced as a far stronger source of protection for workers than staff associations (see Chapter 11).

²⁵² The statutory definition of trade unions is in section 1 of the Trade Union and Labour Relations (Consolidation) Act 1992. There is also a crucial distinction in law between the rights and powers accorded to an independent trade union and a non-independent trade union.

Therefore, we recommend one of two options for changing this question, which could be introduced sequentially. First, keeping a combined formulation to the initial question but adding sub-questions to those who mark yes where people could report if they are a member of a trade union specifically and/or a staff association, and if the latter then provide some detail on what type of staff association. This would help gather crucial and currently missing data on how widespread staff association membership is and would establish at scale what self-identified members understand this concept to encompass²⁵³.

Second, if adding such sub-questions generates evidence that shows what our qualitative results thus far indicate (i.e. that staff association membership means different things to different people and/or that membership is low), then the current question should be changed to ask only about trade union memberships. That would make it a more robust measure. **Fundamentally, it is vital to have good quality data on worker representation and the current formulation risks muddying the picture and making it impossible to establish how many and what proportion of workers are members of trade unions.** This information could inform not only trade unions but also the UK Government and Devolved Administrations about changes in the make-up and membership of organised labour.

6. For education departments in England and the Devolved Administrations to review curricula and ensure there is sufficient, appropriate and effective information in the school curriculum on employment rights, worker organising and access to justice

We recommend that education departments in the respective national Governments review their school curricula to ensure young people are provided with a solid understanding of their employment rights, organised labour, and potential pathways and procedures to secure help and reach a just resolution, should it be needed. This is distinct from but complementary to FWA8, which deals with targeted communications by age but not by formal education.

Background

The importance of young people being actively taught about their employment rights (e.g. right to a payslip, a written statement of employment particulars, holiday pay, etc.) and about trade unions came through strongly in some qualitative elements of our research (particularly in the focus groups with workers). This recommendation was also widely supported by the various project advisory groups, including that of precarious workers themselves. Various participants in the in-depth interviews and focus groups emphasised from their own experiences how they had not realised their rights were breached because they did not know these rights existed in the first place (e.g. around non-provision of payslips, contracts and holiday pay).

In the worker representative advisory group, it was stressed that young people should be educated not only about their substantive rights, but also about the process to follow if these are breached. The limits to what formal education can achieve were also noted: provisions in schools were seen to complement rather than replace the more active, personalised process of speaking to advisors when issues arise (be it trade union representatives, NGOs or others).

²⁵³ The Office for National Statistics might also wish to explore ways of broadening the question to include some other types of organised labour structure. However, our focus groups findings indicated that the picture was highly fragmented, so adding categories (e.g. informal worker networks) might prove challenging.

Education is a devolved area so we advise the Department for Education (England), Education Scotland, Education Wales, and the Department of Education (Northern Ireland) to review their existing curricula and implement and/or extend provisions to ensure young people are educated about their employment rights (including trade union rights) and routes to redress (e.g. information on support available and enforcement).

A detailed review of existing provisions, their implementation and impact are beyond scope here, but we stress a few key points. In England, there are Key Stage 4 (ages 14-16 years) provisions around employment rights and responsibilities as part of the PSHE (Personal, Social, Health and Economic Education)²⁵⁴ but the Department for Education does not provide the materials itself (potentially a challenge, given the complexities of this space and further changes introduced by the ERA 2025). In Wales, a programme was co-developed with trade unions and has been piloted in schools (the ‘Unions and the World of Work’ programme)²⁵⁵. This programme is notable for bringing worker organising to the fore as an important strand of employment rights-related education and was based on a similar programme in Scotland. In Northern Ireland, ‘Education for Employability’ is part of the statutory requirement for ‘Learning for Life and Work’ within the curriculum, but the guidance available indicates a potential gap around workers’ rights, their enforcement, and trade unions²⁵⁶. The potential to extend employment rights-related education within further education colleges and universities was also noted in our focus groups and advisory groups, again put forward as a missing piece in much career support and advice. The Level 1 Award in Workers’ Rights and Labour Exploitation²⁵⁷, co-developed by the former GLAA, could be a useful model to consider here as well.

The ERA 2025 introduces substantial changes to employment laws and their enforcement in England, Wales and Scotland, meaning here changes will no doubt be required to existing programmes. Similar may be true in future in Northern Ireland. There are also opportunities to develop new provisions, based on the scoping of gaps, strengths and weaknesses in current provisions. Here, too we argue for robust evaluation of different types of provision (content, delivery mode, target age, etc.) to build stronger evidence on effective ways of educating young people about their rights as workers and the impact of such education in the medium-term. For example, the latter might consider the effects in the medium-term on recognition and responses to potential breaches of employment rights. We caution here that our qualitative findings underscore that that *knowing* one’s rights does not necessarily equate to having the *confidence* to act on breaches. This point also resonates with findings from a major Australian survey of young workers (Howe & Dillon, 2025) and similar challenges were discussed by the last DLME (Beels, 2025).

7. For the UK Government and Northern Ireland Executive to actively consider expanding the scope of state enforcement of underpayment of workers due to unpaid extra hours of work

At present, underpayment due to unpaid extra hours generally only falls within the remit of state enforcement (via the FWA) if it leads to NMW/NLW violations. However, our survey results indicate pervasive issues with people working substantially over the hours for which they were paid.

²⁵⁴ See, e.g., [Oak National Academy Rights and Responsibilities in the Workplace](#)

²⁵⁵ See TUC Cymru [Unions and the World of Work](#)

²⁵⁶ See curriculum [Learning for Life and Work: Employability](#)

²⁵⁷ See Skills & Education Group Awards ‘[Level 1 Award in Workers Rights and Labour Exploitation](#)’.

Consequently, we encourage the UK Government and Northern Ireland Executive to investigate expanding the scope of state enforcement for under-payment of wages. There appears to be particular scope for considering changes that would clearly limit or compensate the unpaid extra hours a worker can be (implicitly or explicitly) expected to do.

This could be achieved by reviewing the issue and its impacts on workers – in light of evidence from the Working Lives Survey and elsewhere – and examining different approaches worldwide. There is a need for properly targeted research and consultation, the results of which could usefully be incorporated into a review of the scope of the FWA's remit.

Background

The Working Lives Survey showed that 3 in 10 workers in the full workforce had worked additional unpaid hours in the preceding two years, losing on average 13 unpaid hours for every 100 paid hours. These findings indicate that unpaid extra work is a pervasive issue, affecting the UK workforce on a major scale and at far greater rates than previously estimated (TUC, 2025b). The TUC's analysis of the Labour Force Survey data for Q2 2024 found that an estimated 13.1% of employees were working unpaid overtime. Looking over a longer period (the preceding two years) in the Working Lives Survey, we found a figure 2.5 times as high, with 32.1% of workers in the full workforce reporting having done unpaid extra hours of work (for precarious workers only, the figure was slightly lower but still high at 28.4% of employees²⁵⁸). Where affected, precarious workers lose out more, however: at 15 unpaid hours per 100 paid hours (versus 13 per 100 in the full workforce) (see Chapter 4).

As stressed by our advisory groups of legal experts and labour abuse academics, these widespread practices **may also result in a substantial loss to the public purse in the form of tax and National Insurance contributions** that would otherwise have been paid on the hours worked.

Currently, unpaid extra hours are only enforced by the state when they push the overall payment for the overall hours worked below NMW/NLW. Yet this form of wage theft appears to be flourishing at scale, is likely very normalised and often has few avenues for redress beyond individual litigation via Employment Tribunal. Given the prevalence of unpaid extra hours identified in this study and our initial qualitative insights into the issue, it would be useful to commission research to further examine 1) workers' attitudes to unpaid extra work, 2) their reasons for doing it (or not) and 3) the impacts it may have on them, which might include questions of productivity, health and safety, work-life balance, career progression, or caring responsibilities, for example and 4) what has happened if they have tried to challenge or otherwise resist expectations or demands of unpaid extra work.

Unpaid extra hours was one of the 'canary in the coalmine' variables unveiled by our research and had the highest and most consistent correlation with the issues analysed (Chapter 8). This means that a workplace expecting (or indeed just accepting) unpaid extra hours of work is likely to also be engaged in some other forms of labour market non-compliance and work-based harms.

Regarding the survey findings, we simply cannot comment on the employers' intent behind these extra hours, or the extent to which they were even necessarily aware of them. Moreover, people can be differentially impacted depending on their views and circumstances – meaning even two people working for the same businesses might feel differently about exceeding their contractual hours.

²⁵⁸ When we considered all workers (not just employees), the figures stood at 31.84% and 28.19% for the full workforce and precarious workers respectively.

However, judging from our qualitative data, the category of unpaid extra work certainly includes instances where workers are explicitly instructed to work extra hours for free, and where they feel they have no choice but to do so due to understaffing and/or unrealistic workloads.

Our qualitative data also showed a variety of ways in which unpaid extra hours could occur, including through missing breaks, being expected to work before and after contracted hours, and to do compulsory training outside of paid hours (in the quantitative data, training was the most common reason for unpaid work). It is crucial that businesses do not displace under-resourcing onto their staff by necessitating them to work for free. We suspect one of the reasons that unpaid extra hours are so prevalent is because they fall into a state enforcement gap if NMW/NLW is not breached in the process.

We appreciate that *some* people will *sometimes* be willing to work extra hours and some will even seek to do so. We would argue, however, that this should be a genuine choice not something a workplace explicitly or tacitly demands. There is also an important question of what constitutes fair compensation for the extra value to businesses from this work.

According to the legal experts we consulted, unpaid extra hours can be a contractual issue, but it is more complicated if there is no contractual clause regarding overtime, and someone is a salaried rather than an hourly paid worker. They advised that there are two main considerations here (n.b. there are also considerations around rest break entitlements).

The first is the European Working Time Directive, according to which workers have the right not to be required to work excessive hours (over 48 hours a week on average for those aged 18 or over), although this can be opted out of via provisions in contracts (see Pósch et al., 2024).

The second is the National Minimum Wage Act 1998, under which employers are required to keep records of time worked for hourly-paid workers, produce accurate payslips and pay the workers accordingly. However, there are different categories of workers, depending on how they are paid. In such cases then, unpaid hours would result in payslip inaccuracies. They wondered whether our findings might speak to an issue where people might be assigned to the salaried workers category under the NMW Act 1998, but their actual work exceeds contracted hours. Here, they said contracts may have something to say on additional hours or, we were warned, may be silent on the matter.

Accordingly, they suggested that our findings might feasibly indicate a regulatory gap around terms for dealing with unpaid extra hours of work for salaried workers specifically. To be clear, it is not possible from the Working Lives Survey questions to determine what category respondents fell into (e.g. hourly-paid, salaried, or something else). If that is the main driver of unpaid extra hours (which may or may not be the case, and would require targeted research to determine), such a gap might be addressed via a legislative requirement on this matter, or a contractual one. For example, a legislative requirement could mandate employers of salaried workers to have an arrangement for overtime pay. However, as the legal experts warned, this could be discharged simply by stating that there is none. Clearly, this is a complex area legally and requires careful thought and further investigation.

Internationally, however, there are different approaches to regulating overtime: and unpaid extra hours are effectively unpaid overtime. For example, in the US overtime is legislated at federal level (Fair Labor Standards Act, 1938). In Europe, the situation varies country-by-country. It is typical in the Netherlands, Germany, Denmark, and Sweden to have collective labour/bargaining agreements to regulate overtime payments. In contrast, in countries such as Hungary, France, and Spain there are clear rules regarding which types of workers can be asked and allowed to do overtime, and how they

should be compensated. Accordingly, we recommend that the UK Government and Northern Ireland Executive review evidence and experiences around regulating overtime from these and other regimes. Currently, it seems to be too easy in the UK to extract unpaid extra hours from workers, including but not limited to hours that could impact on NMW compliance.

8. For the UK Government and Northern Ireland Executive to scope possible amendments to laws/regulations, aimed at requiring businesses to inform workers about their general employment rights (not just their own contractual terms), and about avenues for advice and enforcement

We recommend that the UK Government and Northern Ireland Executive scope possible enhanced statutory requirements regarding information to be provided to workers by workplaces. This could be achieved via amendments to existing legislation on what must be covered in written statements of employment particulars, and/or new provisions for 'Fair Work Notices' akin to existing legal mandates for 'Health and Safety Notices'. Such changes have parallels with how the ERA 2025 has put new requirements on businesses to inform workers about their trade union rights (see TradeUnions1).

Background

As already emphasised, our quantitative data indicates that UK workers' rights are being breached at scale and our qualitative data and advisory groups both suggest that workers are often insufficiently informed about their employment rights and how to them enforce them.

We see two main possible ways to enhance workers' information rights here. These could be done either alone or in combination.

The first would be via an amendment to the rights to a written statement of particulars under the Employment Rights Act 1996, Section 1 and the Employment Rights (Northern Ireland) Order 1996, Section 33. These could be amended to require additional information to be included, including information about the Fair Work Agency and other routes to enforcement and advice (e.g. Acas, see FWA7).

The second would be via new legislation mandating the display or provision of notices of statutory employment rights. and information on support, advice and enforcement options. This could be modelled on existing legal requirements around Health and Safety Notices at Work, under the Health and Safety Information for Employees Regulations 1989 (England, Scotland and Wales) and the Health and Safety Information for Employees Regulations (Northern Ireland) 1991.

Across the project advisory groups, there was considerable support for the two main options outlined above, and particularly among the precarious workers group. That might point to an unmet demand for clear and accessible guidance on rights and access to justice. Generally, the advisory groups saw the two options as complementary (rather than an expressing an obvious preference for one or the other): one provides information on joining a company and the other on an ongoing basis. Multi-lingual options were also suggested to increase usefulness and inclusivity (see also FWA5).

There was also support for these recommendations in the employers and employer representatives' advisory group, with the proviso that Government should provide the set text to be included and ensure enforcement. Otherwise, it was suggested that "good businesses" would do it and "bad businesses" would not, or they might share the information without necessarily abiding by the rights detailed in it. This group also warned that the (now former) EAS provides information to include in

agency workers' key information documents, but businesses still adjust it: that could be a risk to watch out for here too. Members of this group also voiced a strong preference against printed material on cost grounds, whereas other groups were in favour of printed materials as well as digital options (e.g. QR codes, emails, etc.).

Although not discussed with or raised by the advisory groups, a final mode of delivery to consider might be via requiring the addition of a link or QR code on payslips. That would then only require amending the regulations on payslips. However, it is also worth remembering that in the last two years 17.51% of precarious workers and 4.84% of the full workforce did not receive payslips (where applicable) regularly or at all (see Chapter 5).

Overall, the potential impact of any such additional information requirements remains unclear, as does the relative effectiveness of different modes of delivery, and which information should be prioritised for inclusion should this recommendation be taken forward. We would also suggest reviewing any available evidence around the effectiveness and cost-benefits of Health and Safety Notices at work.

9. For the Home Office to commission the Migration Advisory Committee to review possible amendments to the work visa and sponsorship system, aimed at providing greater visa security for migrant workers that enables them to leave exploitative employers, voice complaints and enforce their labour rights

We recommend that the Migration Advisory Committee (MAC), commissioned by the Home Office, review the evidence base on why and how the visa and sponsorship system might be amended to support migrant workers to be better able to leave exploitative employers and take action against them for breaches of their employment rights. In doing so, we would advise the MAC consider evidence both on the nature of the challenge here and possible amendments, drawing on evidence from safeguards in other jurisdictions and on international labour and human rights standards.

Background

The main general work visa, the Skilled Worker visa, uses an employer sponsorship model, in which the right to enter, remain and work in the UK is contingent on being employed in an eligible job under certain terms and conditions with a sponsoring employer²⁵⁹. The Seasonal Worker visa operates a similar model, except that the worker is tied to the labour provider on the visa that sponsors them. This system creates significant dependency on the sponsor, and potentially highly insecure immigration status that can be easily lost through no fault of the migrant worker themselves.

As already detailed (see FWA3, and Chapter 2), there is an extensive and compelling evidence base showing that migrant workers' dependency on their employer/sponsor, and the insecurity of their visa, can make them additionally vulnerable to labour market exploitation, compel them to tolerate substandard conditions, and exacerbate barriers to accessing justice. Dependency and insecurity in the visa and sponsorship system can restrict the ability of migrant workers to leave an exploitative employer, discourage enforcing their legal rights for fear of retaliatory dismissals causing them to lose their visa, and discourage reporting violations that could lead to their employer to risk losing the sponsorship licence – upon which the worker depends for their right to reside and work in the UK.

²⁵⁹ The Overseas Domestic Worker visa also operates an employer sponsorship model.

The Working Lives Survey resonates with and adds to this evidence base, showing various violations for which non-British or Irish citizens had a higher likelihood of their rights being breached. Different advisory groups also emphasised that the risk of losing the job on which their visa depends is a significant barrier to exercising labour rights for migrants with time-limited permission to stay and work in the UK.

The MAC has previously recommended the Home Office should continue exploring alternative sponsorship models, particularly for occupations which are at high risk of abuse or exploitation²⁶⁰.

We would recommend that the MAC-led review of the system that we propose here should focus on combining different options for reform with reference to building on international standards and lessons of best practice from other jurisdictions. We suggest four areas that the MAC may wish to prioritise.

Firstly, an important safeguard in international labour and human rights law is ensuring sufficient time during a visa to obtain new employment upon dismissal²⁶¹. Visas are currently cut to just 60 days upon dismissal, including constructive dismissal, (i.e. resignation in response to exploitation), or if a sponsor loses its licence; this is almost certainly too short to comply with international standards²⁶². In comparison, Australia provides migrants on its Skills in Demand visa with 180 days to find new eligible employment²⁶³.

Secondly, the European Committee on Social Rights has concluded that the excessive immigration application fees and other charges imposed on migrant workers are incompatible with Article 18(2) of the European Social Charter²⁶⁴. The current rate of immigration fees and the requirement to pay new fees when changing employer limit the freedom to change employer and ought to be reviewed. Relatedly, the MAC may give consideration to the possible effectiveness and feasibility of a fuller implementation of the Employer Pays' Principle²⁶⁵.

Thirdly, a range of jurisdictions, such as Australia, Ireland, Canada and Finland, have introduced forms of 'bridging visas' aiming to provide the necessary visa security for migrants to leave an exploitative employer without detrimentally affecting their ability to lawfully live and work in the country, and to protect their lawful status from being lost through no fault of their own. . Consideration should be given to whether a similar scheme might be feasible in the UK²⁶⁶.

²⁶⁰ See recommendation on pages 11-12.

²⁶¹ Article 8 of the ILO Convention 143, Article 51 of the International Convention on the Protection of the Rights of Migrant Workers and their Families, Article 7 of the International Covenant of Economic, Social and Cultural Rights (see CESCR observations on South Korea (2009) para 21), and Article 18(3) of the European Social Charter (see ECSR Conclusions XXII-1 (2020), Germany; ECSR Conclusions 2020 – Netherlands – Article 18– 3).

²⁶² *ibid*.

²⁶³ See: [visa conditions](#)

²⁶⁴ ECSR, 'Conclusions XXII-1 (2020) - the United Kingdom' (2021)

²⁶⁵ ILO, General principles and operational guidelines for fair recruitment and Definition of recruitment fees and related costs (International Labour Office 2019).

²⁶⁶ For an international review of visa portability measures, please also see Berg et al. (2023). Support for this idea can also be found at TUC (2025a) and Business and Trade Committee (2025).

Fourthly, support by public bodies for migrants displaced by the loss of sponsorship (either through dismissal or licence revocation) to find new eligible employment is limited, and options for extending support should be examined.

10. For the UK Government to continue to pursue reforms to employment status

We support the UK Government's stated commitment to reform employment status²⁶⁷. This could usefully both simplify status (a single worker status) and extend rights to those not currently covered. We recognise that reforming employment status is likely to be a major and long-term task and note that this policy area is 'owned' by the Treasury.

Background

Our research indicates widespread breaches of employment rights in the UK. However, there are also many rights from which many precarious workers are simply excluded in the first place, by merit of employment status as a 'limb (b)' worker or dependent contractor (those with self-employed status, but highly dependent on a given business), as documented in the detailed legal scoping in our interim report (Pósch et al., 2024).

As our empirical chapters showed, establishing what acts are breaches of employment rights is far more straightforward for employees (who have the most rights) and the self-employed (for whom many rights do not apply). **Where it becomes enormously challenging is in relation to 'limb (b)' workers, who may not even be aware of their status as such.** It rapidly became evident in the survey development that we could not simply ask survey respondents if they were a 'limb (b)' worker as this is not part of standard worker vernacular. This suggests that increasing awareness around this status and the associated employment rights conferred could in itself be helpful.

The complexities around employment status also pose barriers to estimating and reporting on the scale and nature of labour market non-compliance to the most accurate extent possible, as legally required previously of the ODLME and now of the FWA.

Our advisory groups generally held a strong position that the current system around employment status needs to be reformed and simplified. Within the legal expert advisory group, there was a broad consensus that the legislative reform on employment status was the most obviously missing element in the ERA 2025 in respect to addressing issues highlighted in our findings. In the labour abuse academics advisory group, we were pointed towards provisions in California where there is a presumption of employment status unless proven otherwise, which could be a promising model for the UK Government to explore. It could be helpful for the Government to commission a review of promising practices around worker status worldwide.

Only the employer representative group was cautious about expressing support for proposed reforms to simplify status without knowing the precise detail involved. They also suggested that, should the current employee and 'limb (b)' worker distinction be abolished, and a move made to a single worker status, some businesses currently employing 'limb (b)' workers might seek to move them to self-employed status (i.e. further downgrading their rights). When we put this point to the legal experts'

²⁶⁷ See for instance Labour Party (2024) [Labour's Plan to Make Work Pay: Delivering A New Deal for Working People](#)

advisory group, we were told that workers being self-employed is not up to employers to decide, rather is for the courts to determine.

Recommendations to trade unions and other organisations that support workers

Qualitative evidence from our study (interviews and focus groups), our advisory groups' expert input, and the wider evidence base all underscore that trade unions and other organisations supporting workers have important roles to play in helping people to understand and exercise their rights, and to access redress when these are breached.

In tandem, we recognise the challenges presented by variable and often low rates of trade union (and/or staff association) membership. Given this context, we make two main recommendations to trade unions and to other organisations that support workers (e.g. community groups and NGOs) (see also Table 12.3).

Table 12.3: Overview of our recommendations to trade unions and other organisations supporting workers

No.	Recommendation	Adoption timeline	Quality of empirical evidence
TradeUnions1	Developing and/or enhancing strategies aimed at reaching and supporting precarious workers and other groups who are systematically less likely to be members of trade unions and/or staff associations	Early and ongoing	Moderate
TradeUnions2	Developing and/or enhancing strategies aimed at protecting workers from unpaid extra work, negative mental health impacts of work, and bullying and harassment at the workplace	Early	Moderate

1. Developing and/or enhancing strategies aimed at reaching and supporting precarious workers and other groups who are systematically less likely to be members of trade unions and/or staff associations

We encourage trade unions to continue and augment their efforts to recruit precarious workers and those who work at non-unionised workplaces, are in non-permanent jobs, are young and/or migrants. We encourage the same of other organisations supporting people in the UK workforce, particularly the more precarious among them.

Background

Our quantitative results emphasise that **precarious workers are less than half as likely to be members of a trade union and/or staff association than workers in the full workforce (respective membership rates of 8.97% and 20.12%)**. Multivariate models showed that, all else being equal, certain factors were significantly associated with a lower likelihood of membership. The most influential of these was whether a co-worker(s) was a member, speaking to the importance of exposure, attitudes and/or opportunities to join. For precarious workers and the full workforce alike, people were also less likely to be members if they had non-permanent jobs, and if they were born outside the UK. Within the full workforce, people were also less likely to be members if they worked in a small workplace, and if they had started a job more than two years ago. Among precarious workers specifically, people were less likely to be members if they were younger. There were also differences by industry (for precarious workers and the full workforce), region and occupational class (both for precarious workers only).

In light of the quantitative results and also complementary qualitative findings around attitudes to and experiences of trade unions and staff associations, we see a clear case for trade unions and others who support workers (e.g. NGOs and community groups) to make particular efforts to reach, organise and support such under-represented groups (e.g. migrant workers, young people, people in non-permanent jobs). We recognise there can be logistical, financial and orientation-related challenges here, particularly for trade unions as they rely on members' paying their fees to the union (see, e.g., Alberti et al., 2013; Keune & Pedaci, 2020; Mellino, 2025).

In seeking to unionise under-represented workers, our results indicate a need to make clear why unions are relevant to the groups in question, and the benefits of both individual membership and collective bargaining coverage. Our qualitative results indicate that workers care not only about absolute cost of membership but also about relative value, perceived relevance to their circumstances, and ability to take decisive action to protect their interests. Further incentives could also be considered, such as a grace period before paying fees, discounted fees (if not already available), or specific offers of protections and/or trainings for these under-represented groups. Finally, we would stress that increasing worker representation is not something unions can do alone and businesses have an important role to play here too. Yet, there is longstanding evidence that some businesses in the UK have sought to avoid or actively oppose labour organising and that such practices continue today (see, e.g., Dundon, 2002; Evans, 2019) and some of the insights from our own focus group data). Businesses enabling workers to organise as per their lawful rights is vital. We therefore welcome provisions in the ERA 2025²⁶⁸ that enhance trade union rights, including by giving workers in England, Wales and Scotland a right to receive a written statement of their trade union rights (something our focus group findings also strongly support).

2. Developing and/or enhancing strategies aimed at protecting workers from unpaid extra work, negative mental health impacts of work and bullying and harassment at the workplace

We recommend for trade unions, and indeed other forms of organised labour and worker support organisations, to develop and/or enhance their strategies aimed at addressing (1) unpaid extra hours of work; (2) negative mental health impacts of work; and (3) bullying and harassment at the workplace. Of these three issues, unpaid extra hours and work-related negative mental health impacts are the two most prevalent issues identified through the Working Lives Survey, but the prevalence of bullying

²⁶⁸ Department for Business & Trade (2026) [Repeal of the Trade Union Act 2016 Factsheet](#)

and harassment was also worryingly high (particularly in the full workforce). All three issues were, after controlling for other factors, significantly more prevalent among people who worked somewhere with trade union and/or staff association presence (i.e. as indicated by co-workers' membership, rather than respondents' own).

Background

The Working Lives Survey found robust evidence that, all else considered, people whose *co-workers* were members of a trade union and/or staff association (and thus, by implication, worked at a workplace with trade union and staff association presence) were more likely to report experiencing (1) unpaid extra hours; (2) negative mental health impacts of work (increased likelihood and severity, for the full workforce only); and (3) bullying and harassment at work. **We are not suggesting that having organised labour in the workforce creates worse conditions.** We cannot test causality with an observational study, but it is also possible (and, in certain instances, more likely) that trade union and/or staff association presence was at least partially engendered by negative practices at the workplace. Workers in unionised workplaces may also be more aware of these types of issues due, for example, to trade union communications. Conversely, trade union and/or staff association presence was also associated with lower rates of certain other violations (payslip- and contract-related violations and the value of unfair deductions taken).

Whatever the case, unpaid extra hours, negative work-related mental health impacts and bullying and harassment were shown to be very prevalent issues, meaning **more concerted action on them could considerably benefit workers**. They are also challenging to address, hence why we also make recommendations on these issues to other groups as well.

We recognise there is already a history of worker organising on such issues, on which further action could build. For example, the Trades Union Congress (TUC) has been organising an annual day of resistance to unpaid overtime for over twenty years (TUC, 2025b). According to the Working Lives Survey, in the preceding two years, an estimated 31.84% of workers (roughly 12-13 million workers across the UK) were affected by unpaid extra hours, with an average of 13 unpaid hours per 100 paid hours of work for those affected. Our results resonate with and suggest an even greater scale of the problem than did prior TUC-commissioned research. The latter estimated that UK workers put in £31 billion in unpaid overtime in 2024 (based on an estimated 3.8 million people doing unpaid overtime, at an average of 7.2 unpaid hours a week, and a loss for each of £8,000 a year in wages for unpaid work done) (TUC, 2025b).

Relatedly, our survey found evidence that worker concerns for their mental and physical health are mainly underpinned by high-intensity work, inadequate work-life balance, unmanageable workload, toxic organisational culture, and insufficient rest breaks. Legislation regarding these is mostly set out in the Working Times Regulations 1998 (and its 2016 equivalent in Northern Ireland) (for details, see Chapter 6). Employers should engage with the FWA, the relevant governments and organised labour to establish safe levels of intensity and recognise that these may vary from individual to individual, with reasonable adjustments needed for some (see Business2). Admittedly, such efforts would often go beyond addressing breaches of employment laws and would focus instead on establishing or maintaining decent and sustainable working conditions.

Recommendations to employers and their representative bodies

Our view is that employers and their representative organisations (e.g. trade bodies) also have a vital role to play in ensuring workers’ rights are respected and competition is fair for all those operating in the UK labour market. Our recommendations are as follows, with an overview in Table 12.4.

Table 12.4: Overview of our recommendations to businesses and their representative bodies

No.	Recommendation	Adoption timeline	Quality of empirical evidence
Business1	Working closely with trade unions, employer associations, DBT and the FWA to improve understanding of employment rights, uphold said rights, and avoid accidental non-compliance	Early and ongoing	Moderate
Business2	Taking strong and targeted steps to address work-related health problems and concerns, and to reduce reliance on unpaid extra work	Early	No specialist expertise (NSE)

1. Working closely with trade unions, employer associations, DBT and the FWA to improve understanding of employment rights, uphold said rights, and avoid accidental non-compliance

Given the complexities of UK labour law, we recommend that businesses work closely with trade unions, employer associations and the new FWA to ensure an up-to-date understanding of employment rights, particularly given the changes associated the Employment Rights Act 2025 (and similar proposed in Northern Ireland²⁶⁹). We suggest employer associations should also provide targeted help to small businesses, to assist them in avoiding accidental non-compliance.

Background

While we appreciate that many businesses are well-versed in employment rights, that cannot be assumed to be true across the board. The Working Lives Survey results indicate there is a particular need for (1) small businesses (under 50 workers) to engage on employment rights and (2) all businesses to ensure that laws around the provision of payslips and contracts are upheld. According to our survey, in the preceding two years, an estimated 4.84% of workers eligible for a payslip (or roughly 1.7-1.8 million people) were affected by non-provision of payslips. Meanwhile, nearly a quarter (23.2%) of workers who’d started a new job in the preceding two years did not get a contract or key information document at all, or on time.

²⁶⁹ See Department for the Economy (2025) [Good Jobs Employment Rights Bill Public Consultation Response](#)

The FWA's new tripartite advisory board structure provides an important opportunity for businesses to engage with the FWA. To support engagement with small businesses, it may also be useful for the FWA to learn from international attempts to help them better understand their legal obligations: for example, the experiences of the Australian Fair Work Ombudsman's 'Employer Advisory Service' (launched in 2021) (Judge & Slaughter, 2023).

More broadly, businesses must of course uphold employment laws and ensure workers can exercise their rights, including the new trade union rights introduced by the ERA 2025. However, **the sheer scale and variety of violations and potential violations** identified through the Working Lives Survey **suggests businesses must do more to uphold workers' rights in practice**. The obvious challenge with this recommendation is how to engage businesses that are disinterested in workers' rights and/or wish to keep their non-compliance out of the spotlight.

2. Taking strong and targeted steps to address work-related health problems and concerns, and to reduce reliance on unpaid extra work

Given the high prevalence of negative mental health impacts of work, health-related concerns due to work, and unpaid extra work, we recommend businesses and their representative bodies take targeted steps to address **both the causes and symptoms** of work-related mental ill health, as well as their reliance on unpaid additional labour.

Background

We appreciate that businesses can be under operating pressures that can fuel poor practices with regards to treatment of workers. We also recognise that when it comes to unpaid extra hours of work, it can be considered 'part of the job' in particular industries (such as social care) or certain types of businesses (such as start-ups). Similarly, some (especially young) workers are likely to engage in more unpaid extra hours of work to secure progress in their career. Yet, entirely aside from the ethical issues here, such actions might lead to false economies (e.g. due to higher sick leave or staff turnover) and, where laws are breached, to enforcement action.

The 'Keep Britain Working' (KBW) Review, published in November 2025, concluded that:

"The UK has been sliding into an economic inactivity crisis driven in large part by ill-health and by barriers to work faced by disabled people. This is holding back growth, damaging people's life chances, and costing the UK billions in lost output and welfare payments" (Mayfield, 2025, p. 3).

The Review also stated its ambition "to achieve a fundamental shift from a model where health at work is largely left to the individual and the NHS, to one where it becomes a shared responsibility between employers, employees and health services"²⁷⁰. This will involve establishing a Healthy Working Lifecycle (i.e. what works in reducing sickness absence, return-to-work etc), developing better workplace health provision, and building a stronger evidence base on what works²⁷¹. By March

²⁷⁰ Department for Work and Pensions (2026a) [Keep Britain Working: The Story So Far](#)

²⁷¹ Department for Work and Pensions (2026a)

2026²⁷², 150 employers had already signed up to test and build the evidence base for employer-led solutions.

Our advisory groups in general welcomed a recommendation for businesses to do more on work-related health problems and unpaid extra work but had relatively little to advise on exactly what they thought could or should be done. While we have compelling evidence on the problems diagnosed here, what makes a tangible, effective solution is less clear (and is likely complex and context-dependent). That said, our survey results offer clear insights that complement the recommendations of the Mayfield Review, with its emphasis on how employers are “uniquely placed to ‘do’ prevention”, and its calls for better data.

We recommend businesses take concrete steps to address the recurrent issues most frequently identified by workers themselves as the cause for their work-related health concerns: high intensity work; unmanageable workload; toxic organisational culture; and – among precarious workers in particular – insufficient rest breaks. This should also involve working closely with the HSE, trade unions and other organised labour bodies to address these apparent drivers of work-related health problems on a structural level, rather than treating them as individualised problems (see also Davies, 2021).

To reduce reliance on unpaid extra work, businesses should pay attention to the most common drivers identified here: mandatory training, work-related travel, covering for absent colleagues, essential work-related tasks before and/or after work (particularly for precarious workers) and induction. The high prevalence of unpaid extra work and the grounds for it cited by respondents indicate a broader under-resourcing of workplaces, and undue expectations on workers to compensate through their own, unpaid time. Our precarious workers advisory group also called for improved training and support for managers, to ensure they also understand and are better placed to uphold workers’ rights (in general, not specifically in relation to health and hours).

Future research directions

A project of this scale generates numerous potential directions for future research, and these final reflections are far from exhaustive. One key area that we had hoped to address in more depth in this study, but were unable to, is access to justice. Initially, we had included some questions on access to justice in the Working Lives Survey but had to drop those after cognitive testing, as they were not landing well in their current form and we simply did not have the space within the survey to develop them further (see Pósch et al., 2024). The subsequent findings of our in-depth interviews (see Chapter 10) further underlined that pathways to addressing non-compliance and other work-based harms are non-linear, dynamic and adaptive. Notably, none of those we interviewed had experience engaging with state enforcement agencies, nor with the Employment Tribunal system.

Given these gaps in coverage of the current project, it would be useful to consider follow-on research that examines in more detail workers’ pathways to seeking resolution for labour market non-compliance, and their interactions with state and non-state organisations. It would also be helpful to engage more fundamentally with what justice means to them: it is entirely possible that different people prioritise different aspects of resolution and redress, even when faced with the same initial breaches. Knowing more about these priorities, from the perspective of those with lived experience of

²⁷² Department for Work and Pensions (2026b) [Support for Keep Britain Working ramps up across employers and regions - GOV.UK](#)

the issues in question, could help challenge assumptions and shape more worker-centred strategies and responses. We also suspect that procedural justice theory would likely be very relevant here too (Blader and Tyler, 2003; Kim and Beehr, 2020), in as much as it is likely that it is not only the outcome that matters to those impacted, but how they feel they are treated throughout the process of seeking help and reporting breaches.

Beyond that, we think there is also considerable scope for further research into numerous other aspects of labour market non-compliance and work-based harms, including focusing on the different issues in question (building and expanding on the relevant existing literatures), their overlaps, and intersecting populations at particular risk. Questions related to trade unionisation, disability, workers with dependants, and age, stand out as particularly pressing in respect to the latter. We see clear value in both qualitative and quantitative methods and benefitted hugely on this project from a mixed-methods approach that combined both to offset each one's strengths and weaknesses, and to provide complementary insights. The explanatory sequential approach proved particularly valuable, enabling us to use the quantitative parts to directly shape both sampling and thematic focus for the qualitative research. It meant that the qualitative phase could deepen understanding of the statistical results and provide insights into their interpretation too.

As we described elsewhere in this chapter, we would encourage the FWA to invest in a strong programme of research both 1) to support it to meet its statutory obligations to report on the scale and nature of labour market non-compliance (see FWA10) and 2) to build a strong evaluation base on 'what works' in seeking to increase compliance and tackle non-compliance (see FWA6). We also see a clear need to continue to research labour market non-compliance not as an isolated issue, but as something that can and does intersect with a wide variety of other legal violations and harmful behaviours, as this project so strongly demonstrated.

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