

Car Wash Code of Practice Project Summary:

Home Office Modern Slavery Prevention Fund

Summary prepared by the Responsible Car Wash Scheme and the Work, Informalisation and Place Research, Nottingham Trent University

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This summary report provides an overview of the project and it's recommendations. [The full report can be downloaded here.](#)

The Car Wash Code of Practice Project was funded by the Home Office's Modern Slavery Prevention Fund and led by the Responsible Car Wash Scheme (RCWS) supported by the Work, Informalisation and Place Research Centre (WIP) at NTU. This project implemented an audit-based engagement approach to tackle the challenges across the hand car wash (HCW) sector. Building on the RCWS Code of Practice to explore the level of non-compliance in the sector, the project investigated 36 car washes across three different locations, Leicester, Norfolk, and Suffolk. Non-compliance in this sector against the RCWS' code is widespread and evident. WIP has highlighted that the sector exhibits a degree of 'permissive visibility', that creates a perception of opportunity for businesses in this sector to operate without compliance to regulations in an unlawful manner. Regulating the HCW sector holds within the prospect to not only tackle the unlawful activities linked to trafficking and slavery as a result of workforce exploitation, but also to influence the wider business community and contribute to the UK revenue base.

The project began with a mapping and risking of sites within the target areas to support the selection of HCW sites for initial engagement. This stage identified the 12 sites most likely to be non-compliant in each of the three locations based on the WIP risk classification scores and in liaison with policing colleagues. Each of these sites was then visited in the engagement stage to assess and educate business owners and staff. This stage was made up of two visits with a 6 week gap between visits. The first unannounced visit was led by the RCWS auditor in presence of the police and WIP researchers and entailed an introduction RCWS Code of Practice and compliance review against the code. This site specific review was shared with the identified owner to support engagement and compliance. The second announced visit aimed to measure improvement in compliance to code. The final stage of the project delivered workshops to discuss the results of the engagement approach with the intention to collectively articulate the key indicator of non-compliance, gain awareness of the risks involved in the HCW sector and formulate intervention to better regulate the operators in this sector.



Figure 1. Purpose made water drainage by the petrol station. Surface has been degraded by chemicals

The project report presented an analysis of the audits' results against the RCWS code of conduct under 19 clauses in 5 provisions. In the provision **to trade and trading standards**, most sites in Leicester and Norfolk were operating without planning permission and the overall adherence to trading standards is low across the three locations. As for the **financial transparency and corporate governance provision**, almost half of the operators in Norfolk and Suffolk had company registration while this falls to less than a third for Leicester. None of the investigated HCWs had any type of business insurance when audited the first time. However, some of the business showed evidence of insurance certificates achieved since it had been highlighted in the first visit as a compliance criteria. There was also low compliance for clauses under the **provision for providing safe and hygienic working conditions** and during the second visit compliance levels showed minimal improvements. Compliance to clauses under the **provision protecting the environment** varied as both audits showed some compliance to clauses relating to arrangement for drainage and solid waste disposal. Yet no compliance at all to trade effluent or spill kit clauses in both audits with the exception of some sites in Leicester providing evidence for appropriate spill kit during the second audit. There was no provision to compliance with clauses associated with **ethical employment practices** such as Safeguarding, Contracts, Employment Rights or Right to Work

checks. Compliance to these clauses had slightly improved in most of the sites as audited in the second visit. However, the report calls to action local authorities and policy makers as there is major non-compliance in these three areas across all audited sites. The compliance to accommodation and transport clauses was the highest of all clauses particularly in Suffolk as there was 100% compliance to both clauses audited in the first and second visit.

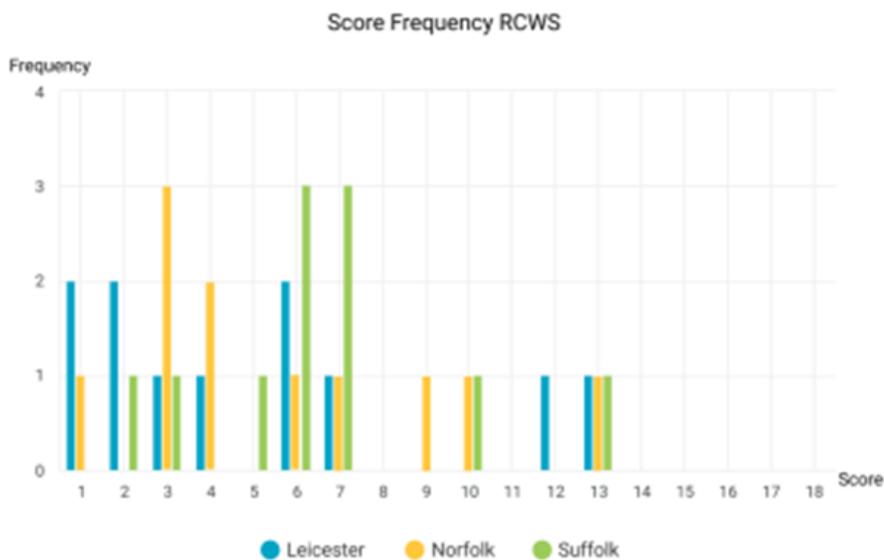


Figure 2. Graph shows RCWS score frequency for Leicester, Norfolk and Suffolk. Full compliance to 18 would constitute the legal minimum required to operate a lawful business.

Recommendations

Based on the results of the audits and the workshops, the project identified recommendations to address the visible non-compliance across the HCW sector which are shared in full below.

1. A shared and agreed approach to eradicate non-compliant activity and unlawful actions needs to be developed, implemented by all agencies and organisations working within the system. This needs to be based on a common understanding of what constitutes compliance and who is responsible for regulation/enforcement of the difference facets that impact hand car washes. This project has highlighted the depth of non-compliance and the lack of unified approaches in three areas of the UK. Despite our extensive engagement in this sector, we were reminded that the embedded nature of non-compliance is a clear and obvious failure of

our society to regulate business and support workers and consumers. The lack of rule following and the visible nature of non-compliance to regulators and citizens is a clear sign that this type of activity is tolerated. Reflecting on Keizer et al's work (2008) we should be concerned of the wider ramifications of this on society.

2. The current system of labour market regulation is fragmented, and this enables non-compliance to continue throughout the hand car wash (HCW) sector. Various agencies regulate their respective components of the sector but what is needed is a holistic and unified multi-agency approach. Such an outcome could be one positive result of a movement towards a Single Enforcement Body for labour market regulation. Evidence from our sector wide workshops highlights valuable multi-agency working approaches but a lack of shared strategic objectives and agreed data sharing processes hinders further joined up and targeted work in the sector with many participants indicating that fragmentation of perspectives and organisational needs limited the ability to see the car wash as a whole business. We already observe a sector that fails to be compliant and this will not change without concerted efforts by all parties responsible for tackling the multiple failures documented in this report and through the RCWS Code.
3. Multi-agency action requires effective use of participants resources to disrupt and tackle non-compliance in a targeted way. Many of the elements of compliance are binary; for example, whether a trade effluent consent is in place or not or whether the car wash is registered for business rates. However, other elements are not binary. For example, compliance with PPE regulations where the business may fall short, or the presence of workplace facilities that may, at times, be in an unhygienic condition or require other improvements. Focusing on the binary elements of compliance and applying a continuous pressure on these elements, will bring about a rapid and measurable rate of change. For businesses that comply, as opposed to exiting the market, this will likely have the effect of bringing about further improvements as the continuous pressure applied by regulators then focuses on other elements of

compliance. Failure to continue this approach will only cement the belief by operators that they can continue to disregard their legal, moral and ethical requirements and will lead to further abuses of workers, consumer rights and environmental standards.

4. The use of effective multi-agency reporting and monitoring of at-risk sites needs to be considered in a longer-term process that ensures regulatory non-compliance across the full spectrum of rules and legal obligations are tackled together. Workshop participants highlighted that data and intelligence on sites was never stored centrally meaning different agencies hold different parts of the jigsaw restricting the ability of everyone to see the whole picture. Through this project we did not engage with anyone who indicated that they were being forced to work on site. Workshop participants highlighted that those at risk of modern slavery were unlikely to engage with organisations or individuals who made short or one-off engagements with longer term relational engagement needed. Joined up and long-term engagement is recommended.
5. The RCWS code provides a useful check list of legal minimum requirements for hand car washes operating in the UK. The code should be used to raise standards of compliance across the whole HCW sector through education. This approach will not, on its own, tackle the embedded nature of non-compliance in the sector as proved by our prior research (Pickford et al, 2022). We believe that the RCWS code should be used as a checklist for any new business entering the market with a licensing model used to prevent businesses that don't follow these legal minimums barred from setting up. Further local or regional level enforcement of existing businesses is also required to improve standards and remove unlawful actions.
6. In-depth engagement with hand car wash workers across the UK to raise their awareness of their employment and pension rights. The almost complete lack of employment information and awareness (purposeful or not) requires work to ensure that staff are aware of their rights and have agency to affect change. We have seen the challenges owners face in keeping workers but suggest that they tackle this lack of employee

longevity not by treating them as cheap assets but as valuable and critical components of their business by providing them with employment contracts, legal minimums in terms of wages alongside sick and holiday pay and by ensuring PPE and welfare facilities are fit for purpose.

7. Community engagement in the form of publicity campaigns may offer a valuable route to educating consumers to the risks of non-compliant hand car washes and results from the billboard and bus stop adverts has seen an increase in local reports to the Safe Car Wash app. However, it must be stressed that none of the sites visited through this project met the legal threshold for a legitimate law-abiding business so we must ensure consumers have a valid legitimate alternative option otherwise we fail to provide them with a clear choice. Campaigns such as NCA's Ethical Consumer campaign clearly articulate the dangers but must consider the alternative option for consumers. The workshop aspect of this project has highlighted the value of partnership working and information sharing. This project recommends the establishment of hand car wash agenda items for all Community Safety Partnerships across the UK to facilitate multi-agency awareness and engagement with a sector in need of reform using the RCWS Code as the basis for engagement with the sector and to determine the risk profile of sites.

8. The ODLME should continue to explore and promote the use of local or regional licensing for this sector with government helping to produce a sector that is fair for all businesses and provides safe businesses for consumers and workers. Any licensing regime should be based on the RCWS Code and Co-badged with the RCWS. This project has highlighted the extensive nature of dangerous practices across a range of factors that should not be allowed to be the sectoral norm.

According to a calculated estimate by WIP, there are more than 5,000 HCW sites across the UK. This report identifies the different areas and extent of non-compliance in only three locations and it demonstrates the need for a move toward stronger and more connected regulation in this sector.

Download the full report: <https://bit.ly/RCWSWIPreportHOMSF>

To read more about the RCWS: <https://rcws.org.uk/>

Further reports and projects led by WIP can be accessed online here: <https://bit.ly/WIPh>

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The views expressed in this report are those of the authors and not necessarily of the Home Office.

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