



European Platform
tackling undeclared work

**Roadbook for joint inspections by Belgian and Dutch enforcement bodies
tackling undeclared work**

Belgium

	<p>Summary</p> <p>Joint inspections are an effective tool to tackle cross-border undeclared work, but they need to be carefully planned. The 'Roadbook' is a written plan which provides detailed guidance for performing a joint inspection between Belgian and Dutch enforcement bodies. It also includes user-friendly information about relevant legislation in both countries. The Roadbook was created within the framework of the Working Group on Fraudulent Temporary Employment Agencies, within the Benelux cooperation.</p>
<p>Title of the practice in original language</p>	<p><i>Draaiboek - ROADBOOK</i></p>
<p>Name(s) of authorities/bodies/organisations involved</p>	<p>The Benelux cooperation tackling social fraud and error comprises the following social security and inspection services:</p> <p>Belgium:</p> <ul style="list-style-type: none"> • Labour Inspectorate, (<i>FOD Werkgelegenheid, Arbeid en Sociaal Overleg</i>); • Federal Public Service Social Security, (<i>FOD Sociale Zekerheid, Service public fédérale Sécurité sociale</i>); • Work and Social Economy Department Flanders, (<i>Departement Werk & Sociale Economie</i>); • The Social Information and Investigation Service (SIIS). <p>The Netherlands:</p> <ul style="list-style-type: none"> • Inspectorate of Social Affairs and Employment, <i>Inspectie SZW (Ministerie van Sociale Zaken en Werkgelegenheid)</i>; • The Tax and Customs Administration (<i>Belastingdienst</i>); • Employee Insurance Agency, (<i>UWV Werken aan Perspectief</i>).
<p>Sectors</p>	<p>All</p>
<p>Target groups</p>	<ul style="list-style-type: none"> • Labour inspectors (directly targeted);



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	<ul style="list-style-type: none"> Workers and companies involved in undeclared work (indirectly targeted).
Purpose of measure	Deterrence: improve detection

	<p>Aims and objectives</p> <p>The Roadbook was developed to improve the efficiency and effectiveness of planning joint inspections between Belgian and Dutch enforcement bodies to tackle cross-border undeclared work.</p>
Background context	<p>The first joint inspections, within the Benelux cooperation tackling social fraud and error, were organised in 2014. They took place in a temporary work agency in the Netherlands and in a shipyard in Belgium. The temporary work agency inspection resulted in the closure of the agency and prosecution.</p> <p>Joint inspections need to be carefully planned, to ensure the efficient and effective use of inspectorate resources. Legislation and inspection powers of enforcement bodies vary across Member States, so the joint inspection team needs to be aware of the different legal arrangements and investigative powers of both countries.</p> <p>From the beginning, as an umbrella organisation of different Belgian inspectorates, the Social Information and Investigation Service follows and supports the Benelux cooperation tackling social fraud and social dumping.</p> <p>The Roadbook can be viewed as a pilot project for cooperation between European inspectorates.</p>
Key objectives of the measure	<p>The Roadbook was developed to improve the efficiency and effectiveness of planning joint inspections between Belgian and Dutch enforcement bodies with the aim of tackling cross-border undeclared work.</p>
Main activities	<p>The respective inspectorates identify 'risky' companies by checking them against their national databasesⁱ and once an undeclared work issue, in one or more companies, is identified, the respective regional enforcement body offices in Belgium and the Netherlands develop a Roadbook.</p> <p>Team leaders in each office are appointed to coordinate inspection teams and tasks, to inform other national services and stakeholders, and to consult with the team leader in the other country. Team leaders have knowledge of the relevant partner country legislation and investigation methods (e.g. administrative - criminal approach). Team sizes vary depending on the case, for example, if a</p>



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	<p>company has five company sites, then five teams are necessary, one for each site.</p> <p>A Roadbook is drawn up between inspection teams for every joint inspection, consisting of an operational and a legal part. The operational component of the Roadbook summarises:</p> <ul style="list-style-type: none"> • The team leaders and teams in each country (including contact details); • Background about the identified undeclared work case, including information about the reasons for the investigation, facts about the specific company and, previous investigations and infringements (if applicable); • Information exchange; • Questionnaires to be used on-site; • Resources, including interpreters and travel arrangements; • Detailed information about the 'on the day' coordination of the inspection; including the objectives on the day, the inspection method, practical arrangements, tasks, documents to be collected and safety instructions; • Briefings and debriefings. <p>The legal component of the Roadbook aims to explain the regulations and investigative powers in both countries and covers:</p> <ul style="list-style-type: none"> • The competences of the participating authorities; • Possible infringements; • Relevant legislation (with an explanation of the constituent elements). <p>The Social Information and Investigation Service reports to the Secretary of State in the fight against social fraud and social dumping and the Belgian government to ensure political will and support for the Benelux project. At the same time the SIIS supports the inspectorates in the preparation of the roadbooks.</p> <p>In the Benelux project, joint inspections were organised in the sector of transport. On both sides of the border a team of specialised inspectors was able to control the different aspects and problems connected to the abuses in international transport.</p>
<p>Funding/organisational resources</p>	<ul style="list-style-type: none"> • Initially, it took enforcement bodies in both countries around two weeks to develop the Roadbook template and the legal component;



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	<ul style="list-style-type: none"> • Travel arrangements and labour costs for joint inspections are covered by the respective enforcement bodies; • A project of agreement between the Benelux countries has been set up by the secretariat of the Benelux.
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	<p>Outcomes</p> <p>Joint inspections have been an effective tool to address social fraud amongst temporary work agencies. The Roadbook agreement has increased understanding of foreign regulations and established a procedure for well-prepared inspection activities.</p>
<p>Achievement of objectives</p>	<ul style="list-style-type: none"> • One major joint inspection, based on a Roadbook, takes place per year; • Joint inspections are monitored by the 'Working Group on Fraudulent Temporary Employment Agencies' of the Benelux cooperation who discuss the approach for each joint inspection; • While the operational part of the Roadbook is updated following every inspection, the legal part does not change; • The Roadbook approach and materials have helped to increase understanding of foreign regulations and to establish a procedure for well-prepared inspection activities. For example, within the cooperation it is known that the Dutch have a digital data collection team, so they are deployed where and when relevant; • Results of the joint inspectorates are reported to the relevant political authorities in order to maintain the focus on social dumping.
<p>Lessons learnt and success factors</p>	<ul style="list-style-type: none"> • Joint inspections are useful to build strong working relations with partner organisations and to learn about their regulations and competences; • It takes time to develop the template, but the Roadbook is a useful written tool. Inspectors feel well prepared for the joint inspection and, as a result, the workload of team leaders is reduced. A detailed description of the aim, the background and the coordination on the day of the inspection are important. This enables inspectors to be aware of what documents and issues to look out for;



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	<ul style="list-style-type: none">• Whilst writing the text of the Roadbook it is important to balance user-friendliness and details of the activity, so that the text is not too long yet includes all relevant information;• It is necessary to further raise and maintain the awareness of the political authorities of the cooperation between the Benelux inspectorates.
Transferability	<p>The operational component of the Roadbook can be theoretically used by other Member States to plan joint inspections. They would need to add relevant legislation, competences of the participating authorities and possible infringements that apply in the participating Member States.</p> <p>The Social Information and Investigation Service can help to promote the possibility of cooperation between different European inspectorates. It can be useful in the detection of common needs of different European inspectorates to improve the exchange of information and good practices between the services.</p>

Further information	
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ⁱ This is often a comparison of risky companies in the Belgian Limosa information system and the A1's delivered in the Netherlands.