

MINUTES OF THE THIRD MEETING OF THE WORKER REPRESENTATIVES LIAISON GROUP– 3 MARCH 2010, HELD AT NEW LINK, PETERBOROUGH, 11AM – 2PM

Present:

Paul Whitehouse	Chairman, GLA
Darryl Dixon	Director of Strategy, GLA
David Nix	Head of Policy & Communications, GLA
Jayne Garner	Community Enforcement Officer, GLA
Janette Bonham	Communications Assistant, GLA
Nick Clark	London Metropolitan University
Tadeuzs Stenzel	Federation of Poles in Great Britain
Chris Burke	Catch 22
Alison Fairman	Boston Citizens Advice Bureau
Gosia Lasota	New Link
Ivan Monckton	Unite
Hannah Reed	TUC
Matthew Creagh	TUC
Steve Kemp	GMB

Apologies:

Jan Egerton
Jane Mordue
Richard Dunstan
Alan Robson

Paul Whitehouse welcomed Gosia Lasota to the group and thanked New Link for hosting this meeting.

1	Declaration of interest	Note • NC declared an interest in tendering for the GLA Worker Survey
2	Minutes of last meeting	Note • Agreed
3	Previous Actions	Note • All actions completed.
4	GLA proposal for a Worker Representative protocol	Note • DN discussed the idea for a Worker Representative protocol. • HR said there are very good relationships with the various worker representatives including the TUC and GLA and this protocol could help everyone work together more effectively. HR will discuss within the TUC and advise GLA/group of any suggestions. HR said

		<p>TUC think this is a good idea and are very supportive.</p> <ul style="list-style-type: none"> • CB stated that the document was very positive and he would be very supportive of it. • TS also stated the he was supportive of the protocol. • NC asked why the GLA thought it was necessary to have a protocol, DD explained that more understanding of processes between the various groups would enable the GLA to do their job more effectively. • HR said there needed to be a proper conversation about what is needed and understanding the strategic requirement, then have a meeting with the TUC etc to have a talk about where the parameters are and what are the options. • Group discussed the relative importance of dealing with rogue labour providers and also keeping people in work. • AS stated that this was discussed with people who come in to the CAB. Difficulty in proving in court – workers often lost a lot of money and did not know exactly who they were working for. • NC said this was a consequence of lack of regulation – insolvency services operate differently. GLA are much better at documenting these cases. Not a problem of GLA enforcement regime. • HR asked to what extent do Inspectors discuss with trades union representatives the best way forward, but would rather revoke a licence in this situation even if workers lose their jobs otherwise the consequences could be dire. • Group confirmed they liked the idea of the protocol. • DN asked for group to send any ideas regarding the proposal to the GLA in time for the next meeting. <p>Action:</p> <ol style="list-style-type: none"> 1. HR advised that TUC will start a conversation with affiliated organisations and then report back with ideas. 2. GLA to do some preparatory work, putting some bullet points together to show for example what evidence is needed. 3. Group to send any ideas regarding the protocol to the GLA in time for next meeting on the 9 June 2010.
5	Supermarket and Supplier protocol update, and summary of responses.	<p>Note</p> <ul style="list-style-type: none"> • DN discussed 2nd consultation on the protocol, which has been expanded to include suppliers. The GLA is very keen on the protocol being kept continually under review. Everybody should have the opportunity to give feedback. There is a launch at the end of this month. Invites will be sent out to the group. • The proposed Grocery ombudsman was discussed. DN stated that this needs to consider issues around the transfer of risk as labour is the biggest cost variable. • BIS consultation on the Grocery Ombudsman is out at the moment. DN stated that the GLA would call for proper investigatory powers, making sure those reporting problems are protected and that the

		<p>GLA would be a useful ally, particularly in sharing intelligence.</p> <ul style="list-style-type: none"> • HR enquired whether, with regard to monitoring the effectiveness of the protocol, there would be a reporting process. HR would like to make sure there is a regular reporting process. PW confirmed that there would be regular reports to the Board. • IM stated "Best Practice" was perhaps not the best title. <p>Action:</p> <p>4. Best Practice – GLA to consider renaming the document.</p>
6	GLA Position on checking employment status	<p>Note</p> <ul style="list-style-type: none"> • This has been published because REC considered the GLA were operating outside of its remit, and that they disagreed with the principle. This paper clarifies why the GLA do what they do at the moment. • DN advised that there might be different questions to ask and the ALP have sent suggested questions. • AS stated that with regard to cases that went to court the Inspectorate did not have enough questions to ask. • HR confirmed that the TUC say the GLA has to make a decision on employment status. The TUC continue to argue that you do not just look at the contract, you look at the employment relationship.
7	How to measure levels of worker exploitation	<p>Note</p> <ul style="list-style-type: none"> • DN said that the GLA Board had tasked this to go the Workers Representative group for ideas. It is difficult to measure, we want to confirm the GLA has made a difference. • NC confirmed the GLA should have some sort of measure of their impact but tricky to obtain the information as agency workers tend not to stay around for long. Looking at the document NC suggested point 3 – look at what sources there are. With regard to comparing different groups, NC did not think that should be in (he does not think we would get answers to this) re employment agencies. • IM discussed the questions asked at point 4, exploitation is rife within the GLA sectors covered. Does not believe if you ask these questions you will get the right and honest answers.
8	GLA Worker Survey	<p>Note</p> <ul style="list-style-type: none"> • DN advised that the GLA were currently tendering for someone to do a worker survey ready for the Autumn. We may not want to ask the same questions, very poor response rate before. DN asked the group for ideas so that we may get the right response to the survey. • HR asked if GMB, Unite and the TUC could help to facilitate but at an earlier stage. Could get their members to respond to a survey.

		<p>The questions from Liverpool University are very general, could more specific questions be asked, like holiday, payments etc, bullying (have you seen anyone being mistreated?) Need to be more precise questions. Could Inspectors give questionnaires out?</p> <ul style="list-style-type: none"> • CB Agreed with HR. Need more precise questions. What statistics are available from other organisations like CAB, Centrepont and Catch 22, maybe Manchester City Council – people leaving city via airport. • AS said CAB have all the national statistics, might be very helpful. PW said as long as the right questions were asked. AS said she could suggest which categories. • NC suggested offering money as incentive to fill in questionnaire. • DD wondered if we could ask supermarkets to provide vouchers. • TS suggested contacting Consulates as he knows that when people return to Poland from other countries they have to register and that would be a good time for them to fill in the questionnaire. Also TS wondered if we would be able to provide the questionnaire in different languages. National websites would also be a good place to place the questionnaire. • NC advised not to put in questions that cannot be answered and also not to call the agencies recruitment agencies as this can be misinterpreted in translation. Terminology is very important particularly when being translated. • PW stated that the suggestions were very interesting and helpful. The general consensus was to start the survey with new questions. • HR asked for samples of the questionnaire to be sent out to the group for people to comment on. <p>Action: 5. GLA to send samples of the questionnaire to the group for comments.</p>
9	Any other business	<p>Note</p> <ul style="list-style-type: none"> • DD discussed the Coroners and Justice Act and the new 'Forced Labour Offence' intended to come into force on 6 April 2010. • JG informed the group of her new position within the GLA as Community Enforcement Officer for Lincolnshire and explained the role. • HR asked for contact details for the new Community Enforcement Officers to be given out to group • TS raised concerns regarding agency workers employed at an agency, when there is no work quite a few agencies just close up shop and the agency workers end up having no work for up to 6 weeks at a time and there is no recourse for employment benefit or anything else. • HR said that the benefits were a major problem if workers were in transient employment, maybe GLA could talk to the DWP. • AS stated that CAB have a huge social policy regarding workers status in their branches.

		<ul style="list-style-type: none"> • PW advised that all GLA can do is note these comments. • CB advised group of new single equality organisation being set up called Just Lincolnshire. CB is an unpaid director of this organisation. Believes that Hate Crime Group appointed would link nicely with the GLA, CB will send details. Also CB will no longer be working for Catch 22 beyond the end of March 2010. • TS advised that he chairs his local Hate group. • AS thanked the GLA for the issuing of the GLA Brief, they are proving to be very useful. • TS advised of employment group who are selling franchises, TS will give details for the GLA to look into (email passed to DN & PW). • DD stated the next new GLA Brief will be on changes in Principal Authority. A Brief is also likely to issued on Employment Status. <p>Action:</p> <ol style="list-style-type: none"> 6. GLA to provide contact details to group on the new Community Enforcement Officers.
	10. Next Meeting	The next meeting is to take place in the West Midlands (JB to advise shortly) on 9 June 2010