



GLAA Brief

Issue 58 – September 2018 New Version of the Licensing Standards

A new version of the Licensing Standards has been published and will be in force from 1 October 2018.

Introduction

A new version of the Gangmasters and Labour Abuse Authority's Licensing Standards has been published and will be in force from 1 October 2018. The new Licensing Standards are available to download from the GLAA website www.gla.gov.uk

Please contact us if you would like a hard copy on 0345 602 5020 or by email to licensing@glaa.gsi.gov.uk

The Licensing Standards set out the conditions to be complied with in order to be granted and keep a GLAA licence. They have been updated following a review over the last few months. Please make sure you read and understand these new Standards. They will replace the May 2012 version.

What is changing?

The Licensing Standards October 2018 are very similar to the Licensing Standards May 2012. GLAA inspections from 1 October 2018 will be against the new Standards. Inspections up to that date will continue to be against the 2012 version of the Standards. The changes are:

- Clarification as to how the GLAA assesses whether an applicant/licence holder is fit and proper and compliant with the Standards by considering how they operate outside of the licensable sector.
- Licensing Standard 1.1 will now make reference to the Rehabilitation of Offenders (Northern Ireland) Order 1978.
- The GLAA will retain discretion to review whether a change of VAT number requires a new application. The requirement to report this and the timescale will be covered under Licensing Standard 1.4.
- Licensing Standard 1.4 will now require licence holders to notify the GLAA if they receive an alternative civil sanction. This will include findings from a tribunal or

another Government department. Licence holders will also be required to notify the GLAA should the business go into liquidation.

- For clarity Licensing Standard 2.2 will make reference to the National Living Wage.
- Licensing Standard 2.3 will cover the payment of benefits other than holiday pay. It will also cover workplace pensions. For guidance on workplace pensions please see the following link <https://www.workplacepensions.gov.uk/>
- The requirements for holiday pay have all been brought together under new Licensing Standard 2.5.
- Licensing Standard 3.1 will be strengthened by including the International Labour Office (ILO) indicators of forced labour.

When considering this Licensing Standard the GLAA is concerned with identifying and tackling forced labour and serious mistreatment of workers. The GLAA will not for example find a breach against this Licensing Standard and say a worker is isolated where a worker is alone in an area of a factory where that is just a normal part of working. The GLAA has outlined the indicators of forced labour it considers when speaking to potential victims in its Spotting the Signs document.

As one or a combination of factors could suggest a person is a potential victim of forced labour the GLAA does not wish to provide a prescriptive list as to what would and would not constitute a failure against this Licensing Standard.

The GLAA would therefore refer licence holders and applicants to the following guidance:

For guidance on the ILO indicators of forced labour please see the following: https://www.ilo.org/wcmsp5/groups/public/@ed_norm/@declaration/documents/publication/wcms_203832.pdf

For the GLAA's guidance on this matter please see: <http://www.gla.gov.uk/who-we-are/modern-slavery/who-we-are-modern-slavery-spot-the-signs/> and <http://www.gla.gov.uk/media/3178/spot-the-signs-glaa.pdf>

- Licensing Standard 3.2 will now cover all loans to workers.
- Licensing Standard 4.2 will require licence holders to comply with the conditions of any Houses in Multiple Occupancy licence.
- The wording for Licensing Standard 5.5 has been updated in light of the General Data Protection Regulations.
- Licensing Standard 6.4 will make it clearer that a driver is required to carry a worker in a safe manner.
- All requirements regarding work finding fees will be brought together under Licensing Standard 7.1,

- Licensing Standard 7.3 will be updated and will remove some of the record keeping requirements in order to align GLAA requirements with the Employments Agencies Standards Inspectorate,
- Licence holders will no longer be required to have a labour user agreement under Licensing Standard 7.4 and some of the record keeping requirements have been removed in order to align GLAA requirements with the Employments Agencies Standards Inspectorate, and
- Licensing Standard 8.2 has been removed in order to align GLAA requirements with the Employments Agencies Standards Inspectorate.

Further information

1. If you any questions about this brief, please contact the GLAA helpline on 0345 602 5020 or email licensing@gla.gsi.gov.uk.
2. For the latest news and updates from the GLAA:



Twitter: [@UK_Glaa](https://twitter.com/UK_Glaa)



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