



Gangmasters &  
Labour Abuse Authority

# GLAA61/16 Stakeholder Engagement

**20 September 2018**

# **Board Paper Reference – GLAA61/16 - Stakeholder Engagement**

## **1. Purpose of the Report**

1.1 To update the board on the work of the liaison groups.

## **2. Recommendation**

2.1 The Board is invited to note the minutes at Annex A of the

- Worker/NGO Liaison Group meeting held on 16 August 2018.

**Report Author: Jennifer Clarke**

**Senior Responsible Officer: Darryl Dixon**



# Gangmasters & Labour Abuse Authority

## Minutes

<b>Title of meeting</b>	<b>Worker/NGO Liaison Group</b>		
<b>Date</b>	16 August 2018	<b>Time</b>	11:30
<b>Venue</b>	2 Marsham Street		
<b>Chair</b>	Linda Dickens	<b>Secretary</b>	Katie Taylor

<b>Attendees</b>	<p>Linda Dickens (LD) GLAA Board Member – Chair  Margaret Beels (MB), Chair GLAA  David Dickens (DD), Fishermen’s Mission  Jerry Swain (JS), Unite the Union  Katie Taylor (KT), GLAA  Ake Achi (AA), Right To Work UK Ltd.  Bridget Henderson (BH), Unite the Union  Nahir de la Silva (NS), Latin American Women’s Rights Service  Caroline Robinson (CR), Focus on Labour Exploitation  Andrew Wallis (AW), Unseen  David Gill (DG), USDAW  Narmada Thiranagama (NT), Unison  Ian Waterfield (IW), GLAA (present only for Performance presentation)  Roger Bannister (RB), GLAA (present from 12:20pm)  Paul Howarth (PH), Home Office (present only for EU Settlement presentation)</p>
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<b>Apologies</b>	<p>Diana Holland (DH), Unite the Union  Katarzyna Zagrodniczek (KZ), East European Advice Centre  Lidia Estevez-Picon, (LE), The Connection St Martins  Matthew Creagh (MC), TUC  Suzanna Dolata (SD), Unite the Union  Justin Bowden (JB), GMB  Darryl Dixon (DDi), GLAA</p>
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1.	<p><b>Welcome and Introductions</b></p> <p>Linda Dickens welcomed attendees from the Worker/NGO Liaison Group. Attendees introduced themselves. Availability of presenters meant the running order of the Agenda was subject to change.</p>
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Annex A

2.	<b>Apologies</b>  Noted as above.
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**3. Agenda Item 7: Performance**

IW presented the new format Performance Report, reflecting the new remit and powers of GLAA. Key sections cover: Business Plan objectives, Licensing, Compliance, Enforcement, Intelligence, Victims and Key Performance Questions.

An overview was provided. Areas outside of the GLAA regulated sectors of operation are now being examined. New nationalities added to analysis of victims, which could indicate a change in labour exploitation practices moving into new sectors.

Results from Project AIDANT (a week-long European-wide operational activity in May that involved all 29 EU member states to target Labour Exploitation in the UK) are included. A public-facing report will be available at the end of August 2018, IW to share with group.

**ACTION POINT 1: IW TO SHARE AIDANT REPORT**

IW touched on areas he wishes to address, including: the absence of outcomes for prosecutions, the time taken to issue a licence (it is currently 90 days, IW wants it to be 30 days) and the GLAA tackling lower level exploitation as well as 'more serious' incidents.

IW is continually looking at the effectiveness of the GLAA response to cases and the GLAA 'triage' system that is used to indicate if it is the right agency to deal with specific cases.

Criminal investigations: there are 20 – 25 new cases a month, with 125 ongoing at time of the Performance Report's publication, five are with CPS to be considered for prosecution, two charges have been made in recent weeks. Of the 125 existing investigations, 77 are in traditional licensed sectors, 31 are across the wider labour market. The majority of Intelligence comes from outside of GLAA.

IW referenced a current case in Leicester in which prosecution are seeking a Labour Market Enforcement Order (LMEO).

Comments from the Group:

NT raised the question of how GLAA tracks people accessing the National Referral Mechanism (NRM) to which IW responded that the GLAA tracks its own victims referred to the NRM and beyond. This forms part of our new Victim Care Policy. There is a wider issue, which is hoped the NRM reforms will address the wider re-victimisation of potential victims once they exit the NRM.

DD expressed concerns that victims within NRM are unable to work and receive a wage. IW mentioned the Government Victim Code that can assist those who refuse access to NRM. LD stated that NRM and its reform will be an Agenda item for the November 18 meeting. DD mentioned that it would be useful to see the proportion of referrals that come from the GLAA. IW replied that the NCA quarterly report shows this, so it could be brought to future meetings.

CR requested more detail (as in previous format of report) particularly performance statistics be spread across a yearly graph with a baseline indicated. More information was asked for on Partnership working other than with enforcement partners. BH echoed these comments and requested more detail on specific abuses such as wage theft and holding back of holiday pay.

Annex A

	<p>LD noted the Report indicated that suitable measures for preventative activity were being developed and encouraged group input to this. It was noted by BH and IW that some areas are difficult to measure and report on, but a narrative focus should also be provided.</p> <p>IW welcomed further views and comments from the Group regarding specific metrics they would like to see. He could send an all-encompassing Performance report which individuals could filter relevance as required.</p> <p><b>ACTION POINT 2:</b> All to send their views and suggestions in relation to performance measures to come to the group to KT for further discussion at the next meeting.</p> <p><b>ACTION POINT 3:</b> IW to provide further analysis of Intel to show areas of abuse and also by sector and will circulate to Group.</p>
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4.	<p><b>Agenda item 5: Brexit and EU Migrant Settlement (PH)</b></p> <p>PH (Lead Policy Advisor, European Migration Unit, Home Office) spoke about the application process agreed for the new EU Settlement Scheme, its proposed timelines and the expected outcomes.</p> <p>The process: EU citizens and their family members who, by 31 December 2020, have been continuously resident in the UK for five years will be eligible for 'settled status', enabling them to stay indefinitely.</p> <p>EU citizens and their family members who arrive by 31 December 2020, but without continuous residency of five years, will be eligible for 'pre-settled status', enabling them to stay until they have reached the five-year threshold. They can then apply for settled status.</p> <p>EU citizens and family members with settled status (or pre-settled status) will have the same access as present to healthcare, pensions and other benefits in the UK.</p> <p>Close family members (spouse, civil or durable partner, dependent child/grandchild, parent/grandparent) living overseas will still be able to join a resident EU citizen after the end of the implementation period, where the relationship existed on 31 December 2020 and continues to exist when the person wishes to come to the UK. Future children are also protected</p> <p>The Home Office (HO) is clear in that it is looking for reasons to grant applications, not refuse, and to work with applicants in assisting them with evidential criteria, with end-to-end support around using technology. Key guidance and promotional materials will be translated into the 23 recognised EU languages plus Welsh. For vulnerable users, Assisted Digital Support will be available via phone, local libraries, or where necessary, a requested home-visit. Approximately 3.5m applications are expected within two and a half years.</p> <p>The application process testing begins in a live "private Beta" phase on 28 August 2018, with a phased roll-out service, fully open to the public by 30 March 2019. Applications are to be made online, 1,500 case workers will be processing applications. The cost to individuals will be: £65, £32.50 for children under 16 and free for people with valid permanent residence documentation or valid documented indefinite leave to remain. Once granted, Settled Status can be lost by absence from the UK of five continuous years.</p> <p>Vulnerable citizens: Case workers are trained in spotting the signs of vulnerability and extra support will be available for those who are identified as vulnerable - HO will work strategically with the GLAA on this. A safeguarding user group are assisting the development of rules and guidance. RB expressed interest in more details about this.</p> <p><b>ACTION POINT 4: RB/PH to speak separately.</b></p> <p>Communications and Engagement: The scheme is being promoted via a phased advertising campaign, pop-up events, social media, newspapers and Spotify Radio conducted in EU languages. A toolkit for employers and third-party organisations was launched in July 18 and is available online via searching for 'EU Settlement Scheme' toolkit.</p> <p>Next steps include development of key stakeholder relationships and in providing materials and assistance to applicants.</p>
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A Q&A took place after PH's presentation:

AA asked how the EU system would link with the Employee Checking Service, to which PH replied the new system would, from 30 December 2020, become the primary and most secure way to identify an EU citizen's residency status.

NS raised the point of cleaning industry workers not being paid as their residency is in question. PH stated that free movement continues until 30 December 2020, so that should not be happening – up until that point, EU citizens can evidence their status with a passport or ID card (as now); and third country national family members, with a Biometric Residence Card (BRC). Once a status is granted under the EU Settlement Scheme, the digital status can be used to demonstrate the persons' right to work/rent etc. NS' point was raised further on in the meeting under Agenda item 10, (Worker Exploitation).

**ACTION POINT 5: NS to compose a 'complex model' scenario for PH to feed into non-live tests.**

NT stated there is a culture of fear among migrants regarding action from employers.

CR said the beta-phase was not clear and people may become vulnerable within the transition time. NS echoed this and requested in particular women workers be allowed to participate in the testing anonymously. PH said that anonymity could be catered for in non-live testing, but the Private Beta phases could not because real immigration statuses were being granted to the applicants.

PH said the Home Office were keen to develop their relationship with stakeholders to explore further outreach opportunities, find the best channels to communicate information of the scheme to those that might be being exploited, and for the GLAA's own staff to be aware of and signposting the scheme during investigations.

HO would like help in understanding the nature of exploitation and possible effects on applicants (e.g. evidence of residence/identity) and welcome suggested support to be made available.

PH requested that information about the EU Settlement Scheme and/or a link to information on Gov.UK could be added to GLAA's website. Links to be supplied with circulation of these minutes.

**ACTION POINT 6: KT to liaise with GLAA Communications team regarding provision of links being uploaded to website.**

MB asked whether the scheme will come into effect whatever the outcome of the Brexit negotiations. PH said that while the principle, "nothing is agreed until everything is agreed" applies, the Prime Minister has been clear from the very beginning that we want EU citizens to stay and securing their status was the number one priority in the negotiations. The fact that the scheme was opening in Private Beta phase and issuing real status from 28 August is indicative of the Government's intent.

5.	<p><b>Agenda item 3. Minutes of the previous meeting</b></p> <p>The minutes of the previous meeting were agreed with two amendments:</p> <p>CR stated she had a Construction industry report to share, rather than a MOPAC (Mayor's Office on Policing and Crime) one, which she will provide for the Group  <b>ACTION POINT 7: CR to send report to KT, for distribution to the Group with these minutes</b></p> <p>The spelling of one attendee was corrected to read: Irina do Carmo (Unite)</p> <p>LD suggested the layout of Action Schedule be looked at for easier correlation with minutes  <b>ACTION POINT 8: KT to look at system for recording Action Points.</b></p>
6.	<p><b>Agenda item 4. Actions arising from the previous meeting</b></p> <p>DDi/TUC/Union dialogue: The process of scheduling meetings is still underway</p> <p>Joint Stakeholder Meeting workshops: RB has prepared a report, which can be fed into for discussion at the next meeting.</p> <p>Other actions closed</p>
7.	<p><b>Agenda item 6. CEO Report</b></p> <p>RB spoke to various aspects of his Quarterly Report.</p> <p>An Apparel and General Merchandise (Public/Private) Protocol, which is due to be signed at the end of August will mirror the structure of the Construction Protocol, which contains household names e.g. McAlpine .</p> <p>GLAA Organisational Management:  A Strategic Organisational Risk Board (SORB) has been established in alignment with new governance framework. GDPR: The GLAA preparations for the May deadline had been audited positively.</p> <p>HR: A GLAA staff survey has been administered.</p> <p>Communications and Engagement: RB stated that liaison groups such as this one remain important. The series of 12 Regional Seminars have concluded, they provided a platform for the GLAA to deliver its message to over 600 people. The challenge now is how to make it even better and reach more diverse groups. Any input from the Group on extending our reach is welcome.  <b>ACTION POINT 9: KT to circulate an example of the slides used at one of the seminars to the Group.</b></p> <p>AA stated there was a lack of engagement between GLAA and local community groups, which RB agreed was a fair challenge, but hard to deliver with only 125 GLAA staff based throughout the UK. RB welcomed ideas on how best to engage at this level  <b>ACTION POINT 10: All to send thoughts on this to KT for future discussion (note: stakeholder engagement on agenda for November meeting)</b></p>

<p>8.</p>	<p><b>Agenda item 8. DLME Strategy</b></p> <p>The DLME Strategy, published on 9 May 2018 contained 37 recommendations. The Government response is still awaited. RB touched on some recommendations that relate particularly to GLAA Consultation on the next DLME strategy has been launched. On 20 September, the GLAA Board has a Strategy Day which Sir David Metcalf will attend.</p> <p>CR asked whether the GLAA could take on the regulation of online Recruitment websites. RB will examine this and report back to the Group.</p> <p><b>ACTION POINT 11: RB to look at the potential of this and report back at the next meeting.</b></p>
<p>9.</p>	<p>As the meeting had overrun, LD asked any members if they wished to raise questions on any matter yet to be discussed, before attendees had to leave for other meetings or travel:</p> <p>BH requested more information on the technical exclusions promoted by Ringlink, detailed in the LPLU Minutes from the meeting held on 22 May 2018:</p> <p><b>ACTION POINT 12: RB to gather this from LPLU colleagues and pass on to BH</b></p> <p>LD suggested that additional time be added for future meetings. It was agreed that a start time of 11am would be beneficial.</p>
<p>10.</p>	<p><b>Agenda item 9. Review of Licensing Standards</b></p> <p>The paper detailing the response to the GLAA Review of Licensing standards was noted. It is expected that the new Standards will be published in October 2018.</p>

11.	<p><b>Agenda item 10. Worker Exploitation</b></p> <p>This offered remaining attendees a chance to flag up trends or occurrences they have encountered.</p> <p>DD has seen an increase in Ghanaian fishermen being provided to Northern Ireland fisheries by a non-authorized agent. Concerns have been raised with Border Force (BF) about intel not being shared. The situation has arisen because of the shortage of Philippine fishermen following the closure of a key agency for wage theft. DD also noted a new, non-union voice in the fishing industry: the Fishermen's Welfare Alliance.</p> <p>AA noted that Unions seemed to be unwilling to deal with immigration issues and that employees only have the route of an Employment Tribunal to seek unpaid wages. Furthermore, employees are being suspended on no pay, pending result of case investigation into immigration status. NT explained that Union officials are unable to advise on immigration unless they have a specific qualification and noted that often issues were not subject to 'joined up thinking' and workers fell through gaps.</p> <p><b>ACTION POINT 13: RB requested specific examples of cases to understand the issue further. AA/NT to send to KT</b></p> <p>NS raised the issue of between 50 – 100 Latin American women from Spain, being recruited via a WhatsApp group to be employed in the UK as university cleaners on three-month contracts with poor conditions. She had passed information to the GLAA in the hope of preventative action. However, the intel was deemed insufficient to take action.</p> <p>LD suggested that Universities would be sensitive to reputational damage if sub contracted cleaning was being performed by exploited workers and therefore the issue might be raised directly with them.</p> <p><b>ACTION POINT 14: NS to send information to KT in order that IW can clarify desired intel. NS also to provide update on this case at next meeting.</b></p>
12.	<p><b>Agenda item 11. Future topics for discussion</b></p> <p>The topics for the next three meetings were distributed to attendees before the meeting. As mentioned above, it was agreed that extra time be assigned to the meeting schedule.</p>
13.	<p><b>Agenda item 13. AOB</b></p> <p>AA (who was attending this meeting as an observer), requested full membership of the Group and to be included on distribution of documents and materials, which was agreed.</p>
14.	<p><b>Agenda item 14. Date of next meeting</b></p> <p>11am – 1:30pm, 7 November 2018, 2 Marsham Street.</p>

