



Gangmasters  
Licensing Authority

# GLA45/18 Liaison Group Update

**22 April 2015**

# Board Paper Reference – GLA45/18 - Liaison Group Update

## 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 draft minutes of the Labour User/Labour Provider Liaison Group meeting held on 17 March, 2015. The minutes are attached at Annex A.

## Annex A

### Minutes

<b>Title of meeting</b>	<b>Labour Provider and Labour User Liaison Group Meeting</b>		
<b>Date</b>	17 March 2015	<b>Time</b>	11am
<b>Venue</b>	GLA, Nottingham		
<b>Chair</b>	Margaret Beels, GLA	<b>Secretary</b>	Sian Roberts GLA
<b>Attendees</b>	Margaret Beels, GLA Darryl Dixon, GLA Charlotte Wilson, GLA Neil Court, GLA Sian Roberts, GLA Terry Waite Jerry Camp Lorna Bramwell Tom Easson Jane Fielden	Kevin McCormick Rob Orme Sian Thomas Jane Bladon Gavin Dring Fergus Morgan Julie Giles Michaela Posnett Victoria O'Brien Michaela Posnett	
<b>Apologies</b>	Paul Broadbent (GLA) Serena Barton (GLA) Colin Hall Joanne Young Shane Tyler Andrew Large Matthew Pearl David Camp Sue Johns		

## 1. Introductions

Margaret Beels (MB) welcomed the group

## 2. Declarations of interest

Kevin McCormick, Terry Waite, Jane Bladon, Rob Orme, Julie Giles – all licence holders

### 3. Minutes of previous meeting

The minutes of the previous meeting were approved.

### 4. Action Schedule

Actions from 4 December 2014

1. *Circulate the revised GLA complaints procedure*: IN PROGRESS. The procedure has been revised and needs firstly to go through the GLA authorisation process and secondly to be discussed with the Trade Union. It is expected that the procedure will be published on the GLA website in April.
2. *Provide full update on the work with Sedex*. CLOSED More work will be required before the anonymised trend data can be used to demonstrate trends in Forced Labour. Additionally, the Home Office are investigating a broader piece of work to identify sources of industry information, how that can be utilised, what the gaps are and what can be done to make the information more intelligence rich.

Point made that the data involved would be highly sensitive and, for the parameters that are being worked on, there would need to be rules for data sharing. This would involve a lot of big businesses.

Darryl Dixon (DD) explained that as the Home Office are leading we will follow their lead, and they will consider the data protection issues.

**New action 1:** DD to provide Fergus Morgan with a contact within the Home Office enabling him to raise his concerns relating to data sharing.

#### **Fergus to keep GLA informed in relation to such contact**

3. *Circulate version of the quarterly performance report*: CLOSED It was decided that to ensure visibility the report should be published on the GLA website.

**New action 2:** Notify the group once the report was on the website and provide a link

4. *GLA Brief to be issued before Christmas regarding how the GLA inspects overseas licence holders and applicants* – IN PROGRESS

A draft brief had been circulated to the group. The deadline for comments from the group was extended until 27 March 2015. On receipt of these, the final version would be issued to GLA staff and then circulated to licence holders and on the website. (See also 8.2 below)

5. *Members to contact Paul Broadbent (PB) if they wish to be involved in the communications group*. CLOSED. Fergus Morgan had spoken to PB and it was agreed a meeting is required to discuss the project and how to ensure the

supply chain obtains appropriate notice about GLA statements and publications. Sian Thomas had also expressed an interest. It was noted that Retailers would likely be interested in such a group.

**New action 3:** An invitation would go to the whole group regarding setting up a meeting.

6. *A regular alert to be set up by Neil Court (NC) to highlight the emerging trends:* CLOSED. NC going to attend Liaison group meetings to provide updates on compliance trends. It was decided that an update provided online would ensure visibility.

**New action 4:** In order to maximise dissemination it was decided that trends would be published in future via the GLA web site. NC would attend all future meetings to provide more detail and answer any queries the group wish to raise.

## 5. Declaration of urgent business

MB raised the BBC news story of last week which suggested PB was involved, in his previous role as a senior Police officer in South Yorkshire Police, in the suppression of investigations into child exploitation. MB explained that the BBC had asked for PB for a statement which he provided. This statement did not appear to have been taken into consideration in the BBC article. MB read a statement prepared for the group by PB which outlined how accusations that he did not report, or support investigations into, child exploitation are spurious and wrong. PB has requested an independent review and highlighted that in the past, as now, his professional priority was to protect vulnerable people.

## 6. Update from Chief Executive

MB presented the report on PB's behalf. MB explained that the GLA budget for 2015-16 has been agreed following a longer than expected process. MB noted that, as regards public expenditure, austerity will continue for the foreseeable future, regardless of the outcome of the election. Overall government spending is to reduce by 1% but, due to ring fencing of certain bodies, the Home Office will have to reduce its spending by 30-40% in the three years from April 2016. A spending review is likely to be announced in November 2015. Regardless of the future financial situation, the GLA must continue to deliver a consistent service.

The Modern Slavery Bill has been to the House of Lords. An amendment was added stating that there must be a review of the role, remit and powers of the GLA within 12 months of the Bill being brought into law. The Bill will now return to the House of Commons for review which is likely to be completed by the end of the month. It is expected that the amendment relating to the GLA will be upheld.

DD provided an update on the work done with ETI and University of Derby to provide accredited training to the supply chain. Modules were due to be ready by the start of the next academic year – in September. It was asked what the cost for such modules is likely to be and DD explained that there is no figure as of yet, this is expected closer to September, but confirmed that fees would be based on cost recovery; the GLA will not make any profit.

## 7. Performance and Insight Report

Provision of Intelligence is continually increasing with more coming from Labour Providers.

The Pay and Work Rights Helpline has been taken over by ACAS. March to April will be a period of transition and there will be discussions concerning how new systems will operate. It is unlikely that reporting of intelligence to the GLA will be affected as the majority of information comes directly to the agency.

25% of intelligence received is potentially actionable immediately. The remaining 75% is informative and helps to build a greater picture of a case. Some of this is, however, never actionable.

How actionable a piece of intelligence is, is based on the reliability score of a source. The higher this is, the more likely it is that action would occur. Consideration is also given to how serious the information is. Where vulnerable people are at risk it is likely there would be a reaction regardless of the source.

There has been a 200% increase in Tier 1 resolutions. Tier 1 relates to issues that are recognised as being resolvable if immediate action is taken. For example, worker complaints concerning holiday pay not being issued.

There has been an increase in the number of inspections despite the GLA resources remaining the same. There is consequently a great deal of pressure on resources. NC noted that there are currently approximately 23 application inspections being processed; an unusually high number. It was asked if there was any common factor within the applications but none has been found.

**New action 5:** NC will report on any trends that have been found in new applications.

NC is currently controlling more than 80 ongoing compliance investigations. Trends within these include the payment of work finding fees and T&S schemes. NC described the success of a recent operation in Cornwall where the GLA engaged with Labour Providers and growers in the flower industry that ensured there was an understanding of what is expected by the GLA and what is not permitted.

September 2013-2104 has seen a decrease in the amount of time taken between the allocation of an inspection and the submission of a report to Licensing. For application inspections this has fallen from 32.8 to 30 days. For compliance inspections this has fallen from 58 to 45 days.

### 8.1 Board Governance (9.1) and Stakeholder Engagement – verbal

Nineteen candidates were interviewed in January. The selected individuals have now been approved by ministers. Security clearance is now being carried out and it is expected that the new board will be announced in early April ahead of its first meeting on 22 April. A key topic will be stakeholder engagement

MB advocates the continuation of the LP/LU Liaison group in some form. It would be helpful to know why those present attended. It was generally agreed that the liaison group encouraged 'working together' and promoted good GLA relations as well as demonstrating the direction the GLA will be taking in the future. It provided a useful stage for providing feedback and an input to GLA thinking, airing concerns and enabling an understanding of the issues faced by organisations in the sector.

## **8.2 GLA Brief 16: overseas labour providers – verbal**

This is currently a working draft and the deadline for comments has been agreed as 27 March. The Brief will then be circulated to GLA staff for comment following which it will be formally circulated.

There has been an update on the restrictions on Romanian, Bulgarian and Croatian workers.

The adequacy of enforcement of standards on overseas Labour Providers was raised and it was asked whether there could be more unannounced Compliance Inspections. NC explained that the GLA is an intelligence based agency that has limited resources. When intelligence is received on Labour Providers it is investigated. DD and the GLA have good links with overseas Labour Inspectorates and, for example, there is a formal agreement with Bulgaria to share information. There has been good experience of liaison and it has helped break unlicensed supply in the past. It was not feasible for GLA to make overseas visits itself.

## **9.1 Board Governance – verbal**

This was covered under 8.1 above.

## **9.2 Feedback on GLA conference – verbal**

More attendance applications were received than could be catered for and a waiting list was required. It was asked how many were turned down but the figure would be complicated by those that paid but did not attend on the day.

If the event was to be annual desired content should be discussed. It was agreed that breakout sessions would be useful as would more space for networking – area around the lunch buffet was inadequate. More real life experiences would be welcomed as would methods of best practice and longer question and answer sessions.

Jerry Camp (JC) noted that only 5% of licence holders were in attendance. Location and timing of the conference was then discussed. Michaela Posnett noted that a conference pre-March was very bad timing for those in the flower industry, being so close to Mother's Day.

Terry Waite suggested that some Licence Holders may still be intimidated by the GLA and would have been unsure of what they may have got out of attending a conference. Word of mouth may help overcome this and the GLA has issued a press release on the success of the conference.

Tom Easson noted that the speech from a worker's perspective was interesting and noted that such information is useful but difficult to attain. MB explained that the GLA were approached to provide an individual and it was noted that such an experience can be highly daunting for workers that have been victims.

Victoria O'Brien recommended building on the momentum from the conference – perhaps there could be a Licence Holders meeting in winter or workshops involving worker's Unions. DD explained that the GLA wished to increase engagement with Unions.

### **9.3 Licensing Standards consultation update - verbal**

Review is still ongoing and will need to be in line with any review concerning change to the GLA remit under the Modern Slavery Act. Interwoven with this will be a review of licensing fees.

It was asked if there was a date the updated Standards could be expected but MB confirmed there was not. Charlotte Wilson (CW) explained that in changing legislation government engagement was required but, during an election year, there were several months where it was incredibly difficult to achieve government input. Changes to BIS Conduct Regulations could also have an effect on updated Standards but these were also not expected until after the election bearing in mind how close that now is.

## **10. Any Other Business**

JC raised the issue of whether Chicken Catchers should be paid for their travel time. CW explained that the GLA will be issuing a Brief on travel time. A draft has been sent to the National Minimum Wage (NMW) team for consideration. As NMW will be changing next month the brief will be delayed until the implications of this are clear.

**New action 6:** CW to provide email update in April on Travel Time Brief and arrange meeting to discuss draft of Brief.

JC also suggested that some businesses are using bogus self-employed workers. CW confirmed that the GLA re investigating some cases of this and explained that GLA Brief 18 provides information on how to assess self-employment.

MP noted that employing workers on such contracts stopped there being a level playing field. This was similar to Umbrella Schemes. CW explained that there are some Umbrella companies that hold a GLA licence and there have been examples where licences have been revoked. There has not been an application for a GLA licence from an Umbrella company for a reasonable period.

## **11. Date of Next Meeting**

3 June 2015, 11:00 - Nottingham