



Gangmasters  
Licensing Authority

# **GLA40/17 Liaison Group Update**

**15 January 2014**

# Board Paper Reference – GLA40/17 - 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 04 December, 2013. 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>	4 December 2013	<b>Time</b>	11am
<b>Venue</b>	GLA, Nottingham		
<b>Chair</b>	Margaret McKinlay, GLA	<b>Secretary</b>	David Nix, GLA
<b>Attendees</b>	Darryl Dixon, GLA Tony Boorman David Camp Tom Easson Marshall Evans Ben Farber Jane Fielden Julie Giles Terry Godfrey Chris Gorton Kevin McCormick James Porter David Segust Sian Thomas Terry Waite Joanne Young		
<b>Apologies</b>	Paul Broadbent (GLA) Matthew Pearl Nigel Stabler Shayne Tyler		

## 1. Introductions

Margaret McKinlay (“MM”) welcomed the group.

MM explained the secretariat would now transfer completely to the GLA and thanked David Camp (“DC”) for his contribution in providing the secretariat.

## 2. **Declarations of Interest**

None

## 3. **Minutes of Previous Meetings**

Agreed

## 4. **Action Schedule**

*Action: GLA to review media policy and stakeholder communication and to consider whether short and frequent releases should be made to the GLA Brief distribution list (from 7 July 2011 meeting) CLOSED*

Action closed as the GLA communication strategy is now in place.

*Action: GLA to work with industry representatives and trade associations to explain its scope across “grey areas” (from 7 July 2011 meeting) OPEN*

It was noted that guidance on the new Exclusions regulations had recently been published with GLA Briefs 31 and 32. Further updated guidance on who needs a licence is being developed. A draft will be circulated to the group week commencing 6 January 2014 for discussion at the next meeting.

*Action: GLA to produce guidelines regarding release of information to retailers as part of Retailer/ Supplier protocol and discuss with FPC/ ALP (from 7 July 2011 meeting) CLOSED*

Action closed following launch of the latest version of the Supplier-Retailer Protocol on 16 October 2013. DC queried how the Protocol would now work in practice. MM agreed there would be standing item on the agenda for future meetings on how the Protocol was being implemented.

**New action 1:** future meetings to include Protocol as an agenda item.

*Action: GLA to consider ALP request to update the press release policy to cover general principles on confidentiality and releasing information to cover Press Releases, FOI requests, release of information as contained in the Suppliers and Supermarket Protocol and by Inspectors during investigations (from 19 April 2012 meeting) OPEN*

Updated External Communications policy to be published on GLA website on 6 December 2013. Link to policy to be circulated to the group once published.

**New action 2:** External Communications policy to be circulated to attendees once published on the web.

*Action: GLA measurement of publishing of outcomes (from 19 April 2012) CLOSED*

Action closed as GLA Strategic Plan with performance indicators now published.

*ALP to write to retailers to express concern and request supermarkets to exert influence on supply chain (from 18 October 2012 meeting) CLOSED*

DC confirmed the ALP had written to retailers. Action closed.

*Action: Liaison Group to discuss future format / timing / terms of reference of the meeting (from 18 October 2012 meeting) CLOSED*

New format and structure of agenda for meetings now introduced. Action closed.

*Action: Collaborative project to develop best practice project for dealing with cases of "hidden worker exploitation" such as control/ extortion of workers by third parties (from 18 January 2013 meeting) CLOSED*

Action closed following 'Stronger Together' initiative launch on 25 October 2013.

*Action: GLA to prepare a Prepay Cards Brief (from 18 April 2013 meeting) OPEN*

Publication has been delayed due to other priorities. It was agreed that the GLA would publish a Brief before the next meeting.

*Action: GLA to consider ALP proposals to review GLA Appeals Mechanism (from 18 April 2013 meeting) CLOSED*

GLA has responded to the ALP. Action closed.

*Action: GLA to provide an update at next meeting on Discretionary Application Inspections (from 22 August 2013 meeting) CLOSED*

Action closed. MM stated that the issue will be a standing item on the agenda for future meetings.

**New action 3:** future meetings to include update on Discretionary Application Inspections as an agenda item.

*Action: Review of GLA Application Fees (from 22 August 2013 meeting) CLOSED*

A review was in progress with a paper due to be presented to the next Finance and General Purposes Board Sub-Committee meeting. Action closed.

*Action: GLA Public Register to be enhanced to show licence holder cases under appeal (from 22 August 2013 meeting) CLOSED*

MM confirmed the public register has the functionality to introduce this change. A paper on the process is due to be the next Finance and General Purposes Board Sub-Committee meeting. GLA will publicly announce the change before it is implemented.

*Action: GLA to clarify nature of GLA officer visits (from 22 August 2013) OPEN*

Darryl Dixon (“DD”) explained the reasons why a GLA officer may conduct a visit, such as a compliance inspection or enforcement investigation. DC commented visits may be for specific a compliance inspection or more general in their nature. However, the exact reason for the visit and for what will happen next may not be clearly explained. 4 attendees indicated that this was something that they had directly experienced. DD invited those directly affected to inform him of their own circumstances. Kevin McCormick mentioned that it was also important that outcome of GLA inspections was issued in a timely manner.

MM agreed to consider how communication related to GLA operational work could be improved with those directly affected. The GLA will report back to the group at the next meeting.

*Action: Outcome of Defra Consultation (from 22 August 2013) CLOSED*

To be discussed later during the meeting. Action closed.

*Action: GLA to consider how Performance and Insight Report could be presented to the group (from 22 August 2013) CLOSED*

To be discussed later during the meeting at agenda item 8. Action closed.

## **5. Declarations of Urgent Business**

None

## **6. Presentations**

### **6.1 Discretionary inspections (current statistics)**

David Nix (“DN”) explained that 16 applications (as of 2 December 2013) had been received since the new application process was introduced on 1 October 2013. 13 have been submitted for inspection, 3 applications granted licences without inspection.

### **6.2 Training auditors – pilot approach**

DD explained the GLA was in discussion with a supermarket about how auditors could be GLA trained with a view for such audits to be used as part of ‘earned recognition’ for licensing purposes. The GLA is also in discussion with the supermarkets for a GLA officer to be ‘embedded’ within a retailer in order for the GLA to build a better knowledge of auditing regimes.

The group raised some issues as to the consequences for such work, including whether retailers would demand that labour providers receiving to an audit by a trained auditor could only operate in their supply chain.

DD stressed this was a pilot exercise which had only just launched. A more detailed paper would be presented to the GLA Board.

## **7. Report of the Chief Executive**

In addition to the Chief Executive's June – August Quarterly report, MM informed the group about Operation Endeavour on 15 October 2013. MM explained that the GLA is increasingly working with other enforcement agencies.

MM confirmed that the new Supplier-Retailer Protocol was launched on 16 October 2013.

MM explained that GLA was working with London Fire Brigade on a pilot exercise to for sharing intelligence.

The GLA ran a seminar, 'Reality or Rhetoric', for stakeholders on 12 October 2013.

### **7.1 Anti-Slavery Bill and attendance at the all parliamentary group**

MM informed the group and she and Paul Broadbent had given evidence to the committee advising the Home Secretary on the scope of the proposed Bill.

Terry Godfrey ("TG") informed the group that he would not attend future meetings. He expressed considerable concern at the GLA's conduct during a recent case. MM stated that she was not in a position to comment but would look into the matter and respond outside of the meeting.

### **New Action 4: MM to respond to TG**

## **8. Performance**

### **8.1 Recent GLA Performance**

DD and MM presented recent performance trends from the latest GLA Insight Report.

DC asked how the recent announcement of EAS inspectors transferring to the NMW enforcement team would affect the GLA. DD confirmed that the GLA already had an existing working relationship with the NMW team with Memorandum of Understanding with the NMW team.

DC queried why the recent appeal result of Lloyds Management Limited was not publicised at an early date (as covered in the GLA press release policy). DN commented that, on review, the case should have been revoked with immediate effect. DC also commented that it raised questions how such a business could be licensed in the first place and then be able to hold a licence for such a period of time. MM explained that resource constraints meant that the investigation of intelligence had to be prioritised through the GLA's tasking process.

## **9. Policy/ Strategy**

### **9.1 Names on a Licence**

DN presented a paper on improving the definition on who needs to be named on a GLA licence. DC explained that he considered the definition in the GLA application form guidance was adequate and that should be wording used in all GLA guidance.

**New action 5:** DN to circulate the Application form definition to the group for review.

## 9.2 Work-Finding Fees

DC explained that a working group, convened by Defra, was considering the impact of the end of the Seasonal Agricultural Workers Scheme. DC has raised with that group the risk of migrant workers being charged fees by labour providers based outside the UK. DC is drafting guidance on the issue of fees in collaboration with others in the industry, including the NFU.

**New action 6:** the group to provide contributions on the issue of fees charged to worker to DC.

In advance of any industry-led guidance, Tony Boorman commented 'Stronger Together' initiative could be used to raise awareness of the problems with work-finding fees.

## 9.3 Triennial Review

MM explained that the GLA was currently subject to Government Triennial Review, which was considering the functions of the GLA and its governance. The review's findings are unlikely to be announced before Christmas, as had been hoped. This would delay the tabling of the new statutory instrument on GLA Governance, and thus changes to the GLA Board.

## 10. Partnerships

### 10.1 Business Alert

DD explained the GLA were exploring the 'business alert' as a way to improve communications and releasing information more quickly.

## 11. Productivity

### 11.1 Details of recent media releases

DD circulated a table summarising press releases issued since the last meeting. The group agreed the frequency and quality of GLA press releases had improved.

**New action 7:** table to be circulated electronically to the group.

DC requested that press releases be emailed to licence holders and those registered with the GLA Active Check service.

**New action 8:** GLA to consider feasibility of issuing press releases to all licence holders and Active Check users.

11.2 Recent trends in revocations

Already discussed during agenda item 8.1.

11.3 Recent appeal results

DN informed the group about the appeals results of Cornwall Recruitment Ltd, Lloyds Management Ltd and United Recruitment Services Ltd.

**12. Any Other Business**

None

**Report Author: David Nix**