



Gangmasters  
Licensing Authority

# **GLA41/14 Strategy for Protecting Vulnerable and Exploited Workers 2014- 2017**

# Board Paper Reference – GLA41/14 Strategic Plan 2014-17

Please note that this document is subject to change should the GLA receive confirmation of the Triennial Review outcomes.

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## **1. Introduction**

- 1.1 This strategy sets the direction for the Gangmasters Licensing Authority (GLA) and was developed after extensive consultation with key stakeholders, labour providers and users, retailers, law enforcement partners and workers themselves.
- 1.2 The strategy has been shaped by a number of key Governmental reports and reviews, ministerial statements, strategic and operational assessments both nationally and internationally all of which illustrate a constantly changing landscape within the sector that the GLA regulates.
- 1.3 This document sets out a clear single aim and three strategic priorities underpinned by six key outcomes which will focus the efforts of the GLA over the next three years and build on successes thus far. This can be viewed on a single page at appendix A.
- 1.4 There will be a greater focus on preventing worker exploitation as the first pillar of success, with a distinct approach to early engagement with labour users and providers to protect workers by sharing information and intelligence at an early stage.
- 1.5 The way services are delivered will be restructured to facilitate an incremental approach to the GLA's engagement with the sector through the implementation of an Integrated Operating Model whereby, through a risk based approach including awareness, information sharing, education and greater communication, the burden will be eased on the vast majority of the sector and it is anticipated that enforcement, prosecution and executive action will be concentrated on the element discovered within the sector that seeks to exploit vulnerable people.
- 1.6 This Authority will improve communication at all levels and will provide timely and relevant information as well as harnessing new techniques for reaching a wide range of groups in our communities. The leadership skills of all our staff will continue to be developed to improve performance across all areas of our work.
- 1.7 This ambitious plan has been developed against challenging budget reductions but through a forensic approach and ongoing evaluation into how and where precious resources are used, the GLA will continually strive to meet and exceed its stated aim.
- 1.8 The aim of the GLA is to work in partnership to protect vulnerable and exploited workers – this strategy is the plan to achieve that aim.

## **2. Background to the Gangmasters Licensing Authority**

- 2.1 The Gangmasters (Licensing) Act 2004 (the Act) provides for a licensing scheme to regulate the supply of labour to the farming, food processing and shellfish gathering sectors and establishes a non-departmental public body, the Gangmasters Licensing Authority (GLA), to administer the scheme.

- 2.2 The 2004 Act was introduced into Parliament to tackle exploitation of workers in the agriculture sector. It was adopted by Government in the wake of the death of 23 cockle pickers in Morecambe Bay in February 2004. The Bill aimed to protect the most vulnerable workers employed in the regulated sectors by ensuring those engaged in the supply of workers, or who use workers to provide a service, meet minimum employment and other standards.
- 2.3 Compliance with the legislation is assessed by information held by Government departments (e.g. HM Revenue and Customs (HMRC) and from assessment made when a licence application is made. The GLA also carries out risk based inspections and responds to specific complaints of abuse that are raised. The 2004 Act created four criminal offences arising from the licensing scheme:
- Operating as an unlicensed gangmaster;
  - Entering into arrangements with an unlicensed gangmaster;
  - Obstructing GLA officers; and
  - Having false documentation.
- 2.4 The GLA covers the whole of the UK carrying out intelligence led activity and inspection. Its staff works closely with other enforcement bodies such as the police, HMRC and UKBA. As an Arms Length Body, the GLA is sponsored by the Department for Environment, Food and Rural Affairs (Defra), but also work with other departments such as the Department for Business, Innovation and Skills (BIS), the Home Office and HM Treasury. Enforcement is carried out by the GLA on behalf of Defra.

### **3. Remit and Resources**

#### **Remit**

- 3.1 The GLA regulates the activities of gangmasters in the farming, food processing and shellfish gathering sectors across the whole of England, Scotland, Wales and Northern Ireland. For the purposes of the 2004 Act a gangmaster is a person who supplies a worker to do work covered by the Act; or who uses a worker to do work covered by the Act in the course of providing a service, or makes arrangements for that worker to do the work.
- 3.2 The GLA head office is situated in Nottingham where currently 31 of its staff are based. They undertake core central functions including licensing, collating, analysing and managing intelligence, based on a threat and risk methodology, finance, IT and HR. A further 35 enforcement officers and managers are home based managing issues across the UK, covering a sector containing circa 400,000 farm workers, 500,000 food packing and processing workers and 10,000 employed in the shell fish industry, through the issue of over 1,100 gangmaster licences.
- 3.3 In addition to the regulatory aspect of the GLA, a key strand of activity is working with law enforcement partners to identify, disrupt and dismantle serious and organised criminality, people trafficking and other crimes whereby criminal 'entrepreneurs' seek to exploit human assets for profit. The GLA has a firm commitment to protect its 'front line' in times of austerity and this year is reviewing the way its services are delivered to maximise effectiveness and efficiency.

## Resources

- 3.4 The GLA is a small non departmental public body. Its head office is situated in shared Government owned accommodation, with half its staff being home based. Any future significant budget cuts will inevitably result in some reduction in headcount.
- 3.5 The GLA has, in line with all Defra agencies, seen funding reduce as a consequence of SR10 settlements. Over the life of SR10 the GLA's funding will have reduced from £4.7m in 2010 -11 (which included contributions from other Government departments) to £3.7m in 2014-15. A cash reduction of £1m or 21% over the period. Wherever possible the GLA has sought to protect front line services and consequently the majority of savings to date have been achieved as a result of reductions to back office staffing levels.
- 3.6 Currently the GLA operates within the budget criteria agreed with its sponsor team and balanced budget for 2013-14 is currently in place. However, for 2014-15 and beyond the situation is more challenging with an estimated £300,000 minimum one year budget gap and further reductions in staffing being required.

## 4. Governance and Scrutiny

- 4.1 At this time the GLA is accountable to a Board which presently comprises 19 individuals nominated by 15 organisations with interests in the sectors. The composition of the Board is specified in secondary legislation. Appointments to the Board are made by the Secretary of State. Nine Government departments (including Defra and BIS) send representatives to the Board. The GLA also has a Finance & General Purposes Committee and Audit & Risk Committee both of which provide guidance and recommendations to the main Board thereby enabling it to concentrate on matters of most strategic importance. This governance structure is under review.
- 4.2 The GLA is audited regularly through Government arrangements with Baker Tilly and the National Audit Office, and is accountable to Defra. The GLA has been the subject of various Government reviews over the recent past, Hampton Report, McCrory Report, Macdonald Report, Forestry Task Force, Review of Workplace Rights Compliance and Enforcement ("Davey"), Triennial Review, CSR 10/15 budget settlements and the Government's Red Tape Challenge.
- 4.3 In a written statement to Parliament issued on 24 May 2012 Jim Paice, Minister of State for Agriculture and food, set out the agenda for the future. In summary, the Government recognised the continuing need for the GLA to enforce protection for vulnerable workers in its sectors, but indicated that the GLA needed to become better at targeting non-compliant operators and reduce the burden on the compliant. This statement has articulated the following agenda:
- *Ensure the GLA targets suspected serious and organised crime by working more closely with the Serious Organised Crime Authority and other specialist law enforcement agencies;*

- *Ensure that evidence of worker exploitation by unlicensed gangmasters or licence holders will contribute effectively to continued successful investigation and prosecution of organised crime groups and assist in the earlier identification of the victims of human trafficking;*
- *Reduce the burden on compliant labour providers and labour users and focus forensically on gross abuse of workers by unscrupulous gangmasters – whose crimes include tax evasion, trafficking, health and safety negligence and other serious crimes;*
- *Streamline the process for issuing licences and remove the general requirement for an application inspection and associated fee, aim to reduce fees and charges and extend the licensing period from twelve months to two years or more for highly compliant businesses;*
- *Remove from the scope of the GLA, activities or sectors which are low risk, including:*
  - *Apprenticeships;*
  - *Forestry;*
  - *Cleaning contractors;*
  - *Land agents; and*
  - *Voluntary workers.*
- *Provide for those with exclusive rights to use the seashore for shellfish cultivation to be able to use their workers to grade and gather shellfish stock without needing to be licensed as a gangmaster. This measure would leave fully in scope of the Act activities such as the gathering of cockles from public shellfish beds;*
- *Introduce administrative fines and penalties for low-level and technical minor offences, including a measure similar to a Repayment Order to achieve paid reimbursement to an exploited worker of wages or other payment which has been removed;*
- *Adopt an approach in respect of a labour user who uses an unlicensed gangmaster proportionate to the circumstances of the offence, for example the financial advantage gained and whether or not there has been abuse of the workers; and*
- *Amend the structure of the Board of the GLA and introduce a smaller Board to provide clear strategic leadership and direction to the GLA.*

4.4 From public consultation in 2013 the GLA has, or is in the process of, modifying its approach to a number of functions. These include implementing a discretionary approach to site visits for some licence application inspections. The default position remains that all licence applications will receive a physical site visit unless specific circumstances exist making that unnecessary. The GLA approach to earned recognition, active checks and what appears on the public register is ongoing.

4.5 Lastly, in recent releases, Defra identifies the following challenges going forward:

- Capacity and capability to deliver our regulatory reform commitments
- Focussing on the reforms that genuinely support growth
- Improving our understanding of what makes farmers and others tick
- Balancing economic and environmental interests
- Making greater use of alternatives to regulation
- Being more responsive to the needs of smaller businesses

## 5. Current Landscape

5.1 The GLA has a dual role to discharge, that of reporting and measuring against civil regulations, 'the standards' and also preventing and detecting breaches of criminal law contained within 'The Act'. The Authority is an intelligence led organisation and much of its work is based on the information it receives from many and varied open and closed sources, how it risk assesses and develops that information and what action it then takes either as a single inspectorate or jointly with other agencies.

5.2 The GLA therefore continues to work closely with all partners in its regulated sector and has launched the supplier/retailer protocol, exploring new and innovative methods to prevent exploitation, the creation of a GLA multi lingual hot line accessible for all workers in whatever environment they work and working more closely with other statutory partners including HM Revenue & Customs, Health and Safety Executive, Government Departments, Local Authorities and Police Forces across the UK.

5.3 With regards to its regulatory function, as at 1 January 2014, there were 1,151 gangmaster licences in existence. For the financial year 2013-14 there were over 100 application inspections carried out with a further 89 compliance inspections conducted of existing licensees. In the same period over 20 licences were revoked. Currently there are over 100 criminal investigations ongoing and at varying stages of resolution.

5.4 Contained within some of those criminal investigations there is evidence of organisation within and between organised crime groups, degrees of unlawful facilitation into the UK on the promise of work, decent wages and a better life. This can range from individuals who answer advertisements in their own country of offers of work, pay to enter the UK from EU or non-EU countries, which are then financially indebted to their 'master', through to the use or threats of physical or psychological violence, financial bondage, forced labour and, in extreme cases, human trafficking for the purposes of forced labour.

5.5 The GLA works closely with the National Crime Agency's UK Human Trafficking Centre and has seconded staff into that arena to enable a deeper understanding of the signs and symptoms of labour exploitation at an early stage. GLA staff are formally identified as Human Trafficking 'first responders' meaning they have the power to take action to remove victims from that location immediately. All current reports and thinking on these matters suggest that human trafficking, for the purposes of forced labour, is a rapidly growing trend. The GLA has also contributed extensively towards the Modern Slavery Bill Evidence Review sessions chaired by Frank Field MP on behalf of the Home Secretary, the All Party Parliamentary Group

on Human Trafficking and Modern Day Slavery and other national/international debates, organisations and research.

- 5.6 The GLA continues to work closely with the public, private and third sector, particularly charities such as the Salvation Army, Migrant Help and Victim Support whose services have been utilised on a regular basis to assist with the protection of vulnerable people once they have been extracted from the forced labour environment.
- 5.7 GLA executive are members of the National Organised Immigration Crime Threat Board which contributes to the UK Threat Assessment overseen by the Home Secretary. Members of the GLA are also key contributors to other high level networks, locally, nationally and internationally.

## **6. Strategic Aim, Priorities and Outcomes 2014 - 2017**

6.1 The GLA has a very clear aim:

‘Working in partnership to protect vulnerable and exploited workers’

6.2 This aim will be achieved through the delivery of three straightforward priorities:

- Preventing worker exploitation
- Protecting vulnerable people
- Tackling unlicensed/criminal activity and ensuring those licensed operate within the law.

6.3 To effectively measure success in these vital areas of activity there are six strategic outcomes that all staff will contribute to, be assessed against and which will be continuously reviewed and evaluated to ensure the overarching aim is met.

6.4 These outcomes are:

- ❖ Target, dismantle and disrupt serious and organised crime/early identification of human trafficking.
- ❖ Provide effective, meaningful engagement with stakeholders thereby enhancing reputation.
- ❖ Work with industry to recognise and address non-compliance without formal GLA intervention.
- ❖ Tackle tax evasion, health and safety negligence, fraud, breaches of employment and other law/regulations.
- ❖ Maintain credible licensing scheme creating level playing field and promoting growth.
- ❖ Identify and tackle forced/bonded labour by licensed and unlicensed gangmasters.



6.5 The above aims, priorities and outcomes are also illustrated in Appendix A below.

### **Values**

6.6 The GLA strongly believe that providing a high quality of service to the public is not simply about what it does, it's equally about the way it's done. Its values are shared by all members of the organisation and are the foundations that underpin the delivery of the aim, priorities and outcomes.

6.7 The GLA will, in everything it does, at all times, demonstrate its PROUD principles:

- P** Professional
- R** Respect
- O** One team
- U** Utmost integrity, trust, openness
- D** Doing it differently

6.8 In addition, staff will continue to hold each other to account to continually demonstrate their commitment to the principles, in order to maintain and enhance the strong reputation the GLA has gained over time. Should anyone in their contact with the GLA believe that the service provided has fallen short of these standards then the Chief Executive personally would like to hear about it.

## **7. Delivering the Plan 2014 - 17**

7.1 Working in partnership to protect vulnerable and exploited workers is dependent upon a clear framework for delivery underpinned by sustained performance under any climate. The framework will provide:

- Strong governance
- Effective performance 'grip' and accountability
- Robust financial management
- A professional workforce

7.2 The framework will enable the organisation to realise continuous improvement in service delivery and to meet the demands of the 21<sup>st</sup> century. Hence the GLA will deliver its aim through the framework of five strategic programmes, all led by an executive member, accountable to the Chair and GLA governance boards with specific, measurable, time limited, realistic yet stretching outcomes.

7.3 The five Strategic Programmes are listed below and will include, but not be limited to, the subjects within each heading. The subjects will obviously develop over the course of the plan, and upon completion no doubt new and emerging themes will take their place.

7.4 A number of the subjects are cross cutting both internally and for other agencies but by setting a clear path for delivery, the GLA has a desire to constantly improve, be transparent in what it does, how and why, and also provide the most effective and efficient service possible by any non departmental public body/law enforcement agency.

- 7.5 The common theme running through these programmes is that the GLA will demonstrate in all it delivers that there is proportionate yet robust grip, relentless follow up to ensure delivery and a forensic attention to detail to reassure all whom come into contact with the GLA that it will deliver against its aim, priorities and outcomes.

### **Partnerships**

- Prevent and Protect (strategies/activities to ensure workers needs are met)
- Law Enforcement – Labour Providers/Users, Retailers
- Government Departments
- Joint Tasking, Joint Threat/Intelligence Assessments
- SLA and information sharing protocols with all key agencies
- Academia – research, emerging trends, local, national, international
- Europol – speedier intelligence exchange
- Refresh supply chain protocol
- Forging new partnerships (e.g. London Fire Brigade - reducing risks to vulnerable persons through awareness raising)

### **Productivity**

- Value for Money – workforce planning, procurement, asset management
- Audit and Compliance – targeted to provide greater insight
- McDonald Review -
- Red Tape Challenge
- Compliance/Enforcement – individual, team, partnership
- Outcomes led – Not Target driven
- Threat and Risk based – development of improved structure, access,
- Intelligence led – National Intelligence Model (revised) compliance
- Income Generation – Proceeds of Crime, EU, Industry

### **People**

- Training, skills, career path, succession planning, secondments
- Leadership – Future, Engage, Deliver
- Change Management – transitional, transactional, transformational
- Senior leaders engage in operational work, visibility
- Continued professional development – competency based assessments
- Values, Communication

### **Public**

- Key stakeholders, Industry
- Workers, Communities
- Communication
- Community Intelligence
- Forced/Bonded Labour (Expansion)
- Awareness = Public Support
- Self & co-regulation by legitimate trade

## **Performance**

- Target non-compliant – reduce the burden on the compliant
- Problem Profile – All Agencies
- Stifle unscrupulous labour users/providers
- OCG Mapping, disrupt, dismantle
- Tackle Criminality
- VFM Profiles – Comparisons, in sourcing, Business Partnering
- Outcomes and outputs
- Joint performance measures

### **Delivering the Plan 2014 – 2017 Key Performance Indicators**

- 7.6 The following performance indicators, targets and outcomes are designed to improve performance in relation to the issues which are of greatest concern. Each target will have an annual sub set of targets/indicators to ensure consistent and continuous monitoring and evaluation of activity and progress is maintained throughout the reporting period. The headline performance targets, supported by the specific indicators will then measure tangible progress against the six organisational outcomes leading to demonstrating activity against the three strategic priorities and the single Aim.
- 7.7 Some of the targets will be modified from time to time to reflect emerging trends in worker exploitation however the principle of performance improvement measured against time, trends and peers (where applicable) will remain.
- 7.8 Improvements will be measured and evaluated year on year against the 2012-13 baseline. They will be analysed over one, three and where possible five year periods to enable meaningful interpretation and will be based upon accurate data and analysis, supported by robust systems and structures, driven by staff with the necessary expertise and skill to maximise the function.
- 7.9 Performance against targets will be reported to each and every GLA full Board and Finance and General Purpose Committee to ensure oversight, scrutiny and governance.

### **Delivery Plan Targets 2014-17**

- ❖ Increase by 15% year on year the number of actual and potential victims of labour exploitation identified, and given support to remove them from danger/raise awareness of their rights.
- ❖ Increase by 20% year on year the identified criminal profits from GLA investigations and joint investigations, for consideration of seizure of proceeds of crime through unlawful activity within the sector.
- ❖ Increase by 15% year on year the number of referrals (successfully identified as victims) made to the UK Human Trafficking Centre (NRM referrals).

- ❖ Increase by 15% increase year on year referrals of the identification and activity of Organised Crime Group to Law Enforcement Regional Organised Crime Units (ROCUs).
- ❖ Increase by 10% the identification of workers unpaid holiday pay, breaches of national minimum wage and enforcement of breaches of employment standards/statutory employment rights.
- ❖ Increase by 20% year on year the assistance given to labour users/providers in the co-identification of and dealing with potential worker exploitation prior to formal regulatory engagement.
- ❖ To develop closer working relationships with HMRC, HSE, NCA, Local Authorities and law enforcement agencies through joint operations rising by 25% year on year.
- ❖ Improve the satisfaction of licence holders with the service provided by the GLA to 85% in year one and reviewed /revised thereafter (2013/14 baseline = 78%).
- ❖ Improve perception amongst all key stakeholders that the GLA is doing a good or very good job to 80% in year one and reviewed/revised thereafter (2013/14 baseline = 71.8%)

#### 7.10 Within year 2014-15

- ❖ By March 2015 to have reviewed the GLA Licensing Standards to ensure that they best support the Authority's strategic aim, priorities and outcomes.
- ❖ By March 2015 to have identified the full range of alternative and cost effective solutions for the GLA to take full ownership of its own ICT infrastructure.
- ❖ By March 2015 to implement the Triennial Review recommendations.
- ❖ By March 2015 to develop, through innovation, sustainable funding streams to enhance and support the future development of the GLA.
- ❖ By March 2015 to fully embed/implement all RTC recommendations.
- ❖ By January 2015 to have improved the stakeholder survey response rate to 15%.
- ❖ By January 2015 to have improved the licence holder survey response rate to 15%.

7.11 All GLA staff will have and own specific personal and professional objectives designed to meet the needs of vulnerable and exploited workers and inextricably linked to this delivery plan.

## **8. Risk Management**

- 8.1 Managing risk in all aspects of the work of the GLA is critical to ensuring that a consistently high level of service is delivered. Risk management is about identifying the risks to vulnerable and exploited workers within the GLA sector, evaluating those risks and deciding on the best course of action to address them. Therefore this organisation has a risk management strategy which is the framework for identifying and evaluating these risks.
- 8.2 By continuously reviewing and evaluating the information and intelligence that is gathered from a wide range of open and covert sources, assessing the likelihood, probability and impact of that information and the risks that are identified, the GLA is able to take effective and proportionate action to protect people from being vulnerable and exploited. This cannot and does not occur in isolation from other agencies, sectors and the industry itself and the GLA seeks at every opportunity to engage with the labour user/provider and workers themselves to prevent exploitation in all its forms.
- 8.3 In addition, the GLA is also accountable to the Audit and Risk Committee which critically examines and holds the authority to account for the management of all organisational, operational, financial and associated risks, assessing each identified corporate risk against likelihood, impact and also volatility and also setting the Authority's 'appetite' for risk in those areas.. Success of the GLA strategy is predicated on the effective management of corporate risks for example: ongoing strategic and operational interagency cooperation, the quality and quantity of intelligence and evidence of exploitation, the capacity and capability of the GLA and its leadership to effectively deliver the strategy.

## **9. Summary**

- 9.1 This strategy for 'Protecting vulnerable and exploited workers 2014-17' seeks to illustrate a clear framework by which the GLA will improve its performance, enhance confidence and satisfaction and most importantly create a platform where the exploitation of workers can be identified at an early stage and prevented.
- 9.2 In so doing, the activity of the GLA will be harnessed through a simple delivery plan that is both transparent and open to scrutiny, will be continually reviewed, evaluated and assessed both internally and through the various governance structures and ultimately by the industry that the GLA regulates.
- 9.3 This strategy, aim, priorities and outcomes will be formally reviewed bi-annually by the GLA main board which is comprised of the main stakeholder groups including Government Departments, Labour Providers and Users, Trade Unions and other interested parties to ensure worker exploitation is being prevented, they are being protected and that unlicensed activity is being addressed and those operating within the regulations continue to be compliant. This will be achieved whilst easing the burden on the compliant and enabling national economic growth.

9.4 Feedback is greatly appreciated and further explanation as to any aspect of this strategy can be given by contacting:

[enquiries@gla.gsi.gov.uk](mailto:enquiries@gla.gsi.gov.uk)

Tel: 0845 602 5020



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Paul Broadbent  
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# Strategy for Protecting Vulnerable and Exploited Workers 2014-17

