

**MINUTES OF THE THIRTY THIRD BOARD MEETING OF THE GANGMASTERS LICENSING AUTHORITY – 18 APRIL 2012 HELD AT NATURAL ENGLAND, NOTTINGHAM**

**Present:**

Margaret McKinlay	Chair
Joanne Young	ALP
David Camp	ALP
Jane Mordue	CAB
Sharon Cross	NFU
Steve Kemp	GMB
Marshall Evans	REC
Gillian Mills	SAGB
Hannah Reed	TUC
Ivan Bartolo	Seafish Authority
Catherine Speight	Unite
Paul Bettison	Local Government Regulation
Hayley Campbell-Gibbons	NFU
David Coackley	HSE
John Gorle	USDAW
Catherine Pazderka	British Retail Consortium
Angela Coleshill	Food & Drink Federation
Jeremy Cowper	Defra
Graham Bruce	NFU Scotland
Sharon Cross	NFU
Lisa Penny - part (teleconference) (on behalf of Wynfford James)	Welsh Assembly
Caroline Daly (on behalf of Gaynor Ithell)	BIS

**In attendance:**

Ian Livsey	Chief Executive
Ray Dawson	Chief Operating Officer
Darryl Dixon	Director of Strategy
Nicola Ray	Director of Projects
David Nix	Head of Licensing
Jennifer Clarke	Communications/L&D Officer

**Observers:**

Sian Thomas	FPC (on behalf of Nigel Jenney)
Boguslawka Motylska	Nottinghamshire Police

**Apologies:**

Robin Wythes, HMRC  
 Russ Hardy, Police Superintendents' Association  
 Simon Chesterman, ACPO  
 Stuart Whitney, DWP  
 Keith Morrison, DARDNI

1	Introductions	<ul style="list-style-type: none"> <li>• MM opened the meeting and welcomed the newly appointed representative Board members – Ivan Bartolo, Paul Bettison, Hayley Campbell-Gibbons, Angela Coleshill and Catherine Pazderka.</li> <li>• Simon Chesterman has resigned from the Board</li> <li>• Ron Vass is due to retire shortly.</li> <li>• Jeremy Cowper will shortly be leaving Defra &amp; will be replaced by Susanna May. MM thanked him for his support to GLA and his contributions to Board discussions.</li> </ul>
2	Apologies	<ul style="list-style-type: none"> <li>• Apologies for absence received from those noted above.</li> </ul>
3	Minutes of the last meeting	<ul style="list-style-type: none"> <li>• The minutes of the last meeting were agreed.</li> </ul>
3.1	Action point from Board meetings	<ul style="list-style-type: none"> <li>• <b>13.5</b> this will be reported on at the next ARC &amp; Board meeting.</li> <li>• <b>13.6</b> will be actioned when the outcomes of the RTC are known.</li> <li>• <b>13.11</b> further guidance will be circulated on low risk areas after the outcomes of the RTC.</li> <li>• <b>14.5</b> Cath Speight volunteered to join ARC.</li> <li>• <b>15.2</b> Board paper GLA 33 8.1 refers.</li> </ul>
4	Declarations of Interest	<p><b>Note:</b></p> <ul style="list-style-type: none"> <li>• JY, GB, SC and ME as licence holders.</li> </ul>
5	Declarations of urgent business	<p><b>Note:</b></p> <ul style="list-style-type: none"> <li>• None.</li> </ul>
6.1	Operations Update:	<p><b>Note:</b></p> <ul style="list-style-type: none"> <li>• Operations update given by RD.</li> <li>• Noted by the Board.</li> <li>• Concern raised by attendees re shortage of labour because Ip's did not want to supply during bulb picking because of proactive oversight by MIGWAG/GLA.</li> </ul> <p><b>Action:</b></p> <ol style="list-style-type: none"> <li>1. Arrange meetings with HCG, GB, HR, DC, AC &amp; growers to address concern over supply and GLA activity -IL</li> <li>2. Consider attendance of Worker Group at Supermarket &amp; Supplier Protocol meetings - IL.</li> </ol>
6.2	Forestry Pilot Update	<p><b>Note:</b></p> <ul style="list-style-type: none"> <li>• DD gave an update on the Forestry Pilot scheme which was noted by the Board.</li> <li>• 66 licence applications have been received since the commencement of the scheme.</li> <li>• Defra would be responsible for any legislative changes relating to the exclusion of forestry.</li> </ul>
7.1	Audit & Risk Committee	<p><b>Note:</b></p> <ul style="list-style-type: none"> <li>• JM updated the Board.</li> <li>• The Annual report will now contain a Governance Report.</li> <li>• IL/MM looking at TOR for a possible Finance &amp; General purposes subcommittee of ARC.</li> <li>• The NAO Audit will take place in 2 weeks time.</li> </ul>

		<ul style="list-style-type: none"> <li>The GLA accounts, along with those of all Arms Lengths Bodies, will form part of Defra's consolidated accounts. This had advanced the deadline for completing the accounts by a month.</li> </ul>
8.1	Licensing Standards	<p><b>Note:</b></p> <ul style="list-style-type: none"> <li>Following recommendation at the last meeting legal advice has been taken in relation to AWR enforcement.</li> <li>The new approach is set out in 33/8.1 para.15</li> <li>The revised standards will come into force on 01 May 2012.</li> <li>Going forward, closing meetings will be held with the Principal Authority at the end of each inspection to set out the factual findings and provide the PA with an opportunity to supplement or correct the information gathered.</li> <li>BIS is carrying out a review of the Conduct of Employment Agencies and Employment Businesses Regulations which may lead to changes in the GLA Rules and hence the Standards.</li> </ul> <p><b>Action</b></p> <ol style="list-style-type: none"> <li>Issue revised version of the Licensing Standards.</li> <li>GLA brief to be issued on Agency Worker Regulations.</li> <li>The adopted approach to AWR to be reviewed in 12 months.</li> </ol>
8.2	Harvesting Arrangements – S4(5)	<p><b>Note:</b></p> <ul style="list-style-type: none"> <li>The Board approved the proportionate approach to enforcement action in relation to activities covered by section 4(5).</li> <li>The NFU thanked the GLA for the work done in this area which was very timely.</li> </ul> <p><b>Action</b></p> <ol style="list-style-type: none"> <li>Clarify the avoidance rules re Section 4(5) on the GLA website within 1 month – DN.</li> </ol>
9.1	Draft Business Plan 2012/13	<p><b>Note:</b></p> <ul style="list-style-type: none"> <li>It was noted by the Board that the Corporate and Strategic Plan were not in place as the outcomes of the RTC are still unknown.</li> <li>The focus of the draft plan is on outcomes.</li> <li>More information is expected by the next Board meeting.</li> </ul> <p><b>Action</b></p> <ol style="list-style-type: none"> <li>Corporate &amp; Strategic plan to be presented at next Board meeting- IL MM.</li> </ol>
9.2	RTC Update	<p><b>Note:</b></p> <ul style="list-style-type: none"> <li>Defra are continuing to look at comments from the RTC.</li> <li>Lord Taylor oral PQ endorsed the government's commitment to protect vulnerable workers, with a reduced burden on complaint businesses.</li> <li>There will be a ministerial statement with the RTC outcomes.</li> <li>It was noted that concept of earned recognition, which is currently included in the Draft Business Plan (33/9.11.4), should be reviewed carefully.</li> </ul>
10.1	Liaison Group update	<p><b>Note:</b></p> <ul style="list-style-type: none"> <li>The minutes were circulated for information.</li> </ul> <p><b>Afternote:</b></p> <ul style="list-style-type: none"> <li>As the LP and LU meetings were formally constituted as sub-committees of the Board, by Board decision, the ToR should be circulated for</li> </ul>

		comment and views on whether the LP/LU meetings should formally be re-constituted as one group. <b>Action</b> <b>8.</b> Circulate the ToR for view on content and constitution as a single group – Board members to comment
10.2	Board Expenses	<b>Note:</b> • Noted by the Board.
10.3	Office Relocation	<b>Note:</b> • The office move is to take place at the end of July; the floor plan has now been circulated.
11	Any Other Business	
	(i) Lu/Lp terms of reference	<b>Note:</b> • The revised LU/LP liaison group terms of reference were agreed.
	(ii) T & S Schemes	<b>Note:</b> • ME enquired about the progress of T&S schemes which could not be discussed due to an ongoing appeal. <b>Action:</b> <b>9.</b> To be added to next Board meeting agenda. <b>10.</b> HMRC representation required at the next meeting.
	(iii) Board members	<b>Action:</b> <b>11.</b> An Induction for newly appointed Board members is to be arranged.
12	Close and date of next meeting	11 July 2012, 11:00 Nottingham.