

GLA16/8.7 Revocations and Reapplications

18 October 2007

BOARD PAPER REF. – GLA16/8.7 – Revocations and Reapplications

Issue

1. Outlining GLA policy for allowing reapplications following a licence revocation.

Recommendations

2. The Board is invited to note the position set out in this paper.

Background

3. The GLA allow labour providers whose licence has been revoked to reapply and gain a new licence before any appeal is heard. This is based on a principle that any reapplication is without prejudice to the grounds for revocation. Provided the failures that led to the revocation action are remedied, and no new serious non-compliances are identified, a new licence can be issued.
4. Some journalists and labour users have expressed confusion at this approach, particularly with labour users who have registered with the 'active check' service. They are notified by email that the labour provider has been revoked and are then surprised to find the business on the public register soon after with a new licence.
5. The GLA put forward points for discussion to the User Group in order to gather thoughts on whether the current position should continue or be changed to prevent reapplications in this manner. These points included:
 - Should no application be permitted for a fixed period of time if a licence is revoked
 - Should new applications only be accepted until the appeal process has been completed
6. The User Group were content that the current position was appropriate as it balanced the penalty of the licence revocation and cost of reapplying with allowing the labour provider to continue trading after demonstrating they had improved their level of compliance.
7. In light of the views of the User Group, the GLA intends to continue with its current approach. However, the GLA website will make it clearer that revoked labour providers have the option to reapply.