

MINUTES OF THE EIGHTH BOARD MEETING OF THE GANGMASTERS LICENSING AUTHORITY – 11 JANUARY 2006 AT NOTTINGHAM COUNTY CRICKET CLUB, NOTTINGHAM

Present:

Paul Whitehouse (PW),	Chairman
Jane Betts,	NACAB
Roger Burrows,	ALP
David Camp,	ALP
Nick Clark,	TUC
Sharon Cross,	NFU
Russell Hardy,	Police Superintendents Association
Chris Kaufman,	TGWU
Chris McCann,	BRC
Marcia Roberts,	REC
Bill Snell,	USDAW
Geoffrey Theobald,	LACORS
Colin Macdonald,	SFIA
Ray Anderson,	Defra
Anne King,	HMRC
Jolanta Edwards,	DTI
Graeme Walker,	H&SE
Derek Muir,	SEERAD
Michael Dunn,	Welsh Assembly Government
Dan Rees,	ETI

Observing:

Mark Boleat,	ALP
Helen Booth	NAO

In Attendance:

Mike Wilson (MW)	Chief Executive
Ray Dawson (RD)	Deputy Chief Executive / Director of Finance
Darryl Dixon (DD)	Director of Operations and Licensing
Nicola Ray (NR)	Director of Policy and Communications
Marion Shepherd (MS)	Secretariat

Agenda

1	Introduction	Jolanta Edwards welcomed as the new DTI representative. Observers Mark Boleat (ALP) and Helen Booth (NAO) welcomed.
2	Apologies	Philip Hudson - NFU Nigel Jenney - FPC Graham Maxwell - ACPO Bob Price - FDF

		Martin Smith - GMB Lisa Webb - NFUS Iain MacSween - SFIA Dave Roberts - Home Office Ann Heudebourck - DWP David Small - DARDNI
3	Minutes of the last Board meeting	Action: <ul style="list-style-type: none"> • Agreed as a correct record
4	Declarations of Interest	<p>Dan Rees declared that the ETI have negotiated additional funding and a contract with the GLA to audit 500 Labour Providers.</p> <p>ALP representatives made a declaration of interest in relation to fees and charges as they are Labour Providers.</p> <p>Board members who had not returned the register of interests proforma were asked to complete one as soon as possible.</p> <p>Action:</p> <ul style="list-style-type: none"> • GLA will notify those members who have not completed the register of interests
5	Declarations of urgent business	None
6	Update on project plan and key milestones	<p>Note:</p> <ul style="list-style-type: none"> • The core project is on schedule • There are new implementation dates proposed due to Common Commencement and the need to delay commencement for shellfish gathering. • Main risks are the Exclusions, IT and the application inspection assumptions. • Defra's Better Regulation Unit are likely to allow GLA to hold 1 December 2006 for C-Day. • Defra intend to finalise the scope of the Exclusions regulations by the end of January. • The shellfish sector requires further work following information gathered during the public consultation. <p>Action:</p> <ul style="list-style-type: none"> • Prepare press response (shellfish) for the end of the Morecambe Bay trial
7	Update on budgets	<p>Note:</p> <ul style="list-style-type: none"> • The difference in the costs between the original Defra RIA and the GLA RIA are due to the changes in assumptions over the last 15 months. • The IT costs and contract have been discussed with Defra. The original figure has been reduced and it is now in-line with other Government

		Departments.
8.1	Key issues from consultation	<p>Note:</p> <ul style="list-style-type: none"> • Names on licence – Businesses will be able to choose whether to name a person(s) or post(s) who is acting as gangmaster on their behalf. • Public register – Names will be published from 1 May to encourage early applications but to prevent undue advantage from fortuitous speedy processing. The opening page of the Register will state when it will be illegal to operate without a licence. The Register will show both received and completed applications. • Printed licences – The electronic notification will be in a format that can be printed and displayed as a paper licence. Printed licences will be sent on request and to non-internet applicants. • Application inspections – all applicants, except successful TLWG audited businesses, will be inspected until the Board agrees to adopt a risk based approach. • Consideration to be given to providing a hardcopy option for the application form. <p>Action:</p> <ul style="list-style-type: none"> • Application system – Draft screens will be circulated to the Board.
8.2	Fees and charges	<p>Note:</p> <ul style="list-style-type: none"> • Costs charged to enforcement do not represent the full enforcement budget (£2m) • Option to discount fees in the 1st year rather than to spread over 3 years • 2008/9 fees not included because of merger with HSE • The £250 discount for early applicants who have successfully passed TLWG audit remains valid. <p>Action:</p> <ul style="list-style-type: none"> • The Board accepted the recommendations for 2006/7 fees. Approval to be requested from the Secretary of State. • Application inspection fee – Model to be devised for banded fees informed by TLWG audit costs and circulated to Board. An alternative proposal should be investigated in case it is not feasible to tie this in with the application form. • Seek advice as to whether use of actual costs is discriminatory and breaches the Race Relations Act.

8.3	Licensing standards (9.3 on agenda)	<p>Note:</p> <ul style="list-style-type: none"> • Further amendments to Licensing standards agreed with Board. <p>Action:</p> <ul style="list-style-type: none"> • Updated version of licensing standards to be circulated to Board, showing amendments agreed in track changes. The Board are asked to respond within 5 working days. • Jane Betts to confirm that 9.2.4 can be deleted. • Graham Walker to confirm training required in relation to 6.2.2. • GLA to discuss legal issues of health and safety with HSE.
9.1	EU Services Directive	<p>Note:</p> <ul style="list-style-type: none"> • If the Directive goes through without amendment, the GLA would have no authority over EC Labour Providers based outside the UK, that are a major component of the UK LP industry. Concern was expressed that Depts working to amend the Directive may not be aware of the fundamental implications for the GLA. <p>Action:</p> <ul style="list-style-type: none"> • The Board will write to the Secretary of State to this effect. • Will return to the agenda in March for an update.
9.2	Audit committee report	<p>Note:</p> <ul style="list-style-type: none"> • Inaugural meeting of the audit committee followed the Board meeting.
9.4	Communications campaign 2	<p>Note:</p> <ul style="list-style-type: none"> • Presentation to be emailed to Board members.
9.5	Verification approach	<p>Note:</p> <ul style="list-style-type: none"> • Scope of the verification process has been finalised. • Will map compliance with licence standards against outcome of TLWG audit. • This process is not affected by the minor amendments to the Licensing Standards agreed at the Board meeting. • It will commence at the end of January. • This will ensure verification is effective and complete for as many TLWG/REC audited companies as possible. • It will determine which LPs are classed as "successful".
9.6	Exclusions	<p>Action:</p> <ul style="list-style-type: none"> • Noted by the Board.
8	Urgent business	<p>None</p>

9	Date of next meeting	15 March 2006, London venue to be confirmed, at 11am.
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