



Compliance update

September 2015

Licence holders: 986

Ongoing applications: 17

Ongoing compliance inspections: 51 (Including compliance, new business and change of Principal Authority)

Common areas of non-compliance

Licensing Standard	Title	Non-compliance
1.4 - Changes	Notification	Failure to notify GLA Licensing with changes that occur within the business (see GLA Standard 1.4 for details)
2.2 - Critical Paying Wages	Umbrella Companies T&S Schemes AWO	A number of LPs still use Umbrella Companies or T&S schemes and believe that the GLA will not have any interest as long as these are operating outside of the regulated sector. The GLA look at the way businesses are run as a whole so all details will be examined for compliance. Lack of knowledge about the Agricultural Wages Order, rates etc. and the fact that it still applies in Scotland
2.3 – Benefits	Holiday pay	Workers not being advised how much holiday they are entitled to or how to request it Details of accrued holiday/balance not made available to workers

3.3 – withholding wages	Holiday pay	Non-payment, part payment or incorrectly calculated. P45s are not being issued or delayed and holiday pay is not met. Deliberate retention of workers holiday pay entitlement by some LPs
4.2 – Licensing of Accommodation	HMO Licensing	Lack of knowledge about what is required by Local Authorities to licence a house of multiple occupancy.
5.1 – Rest periods, Breaks and Annual Leave	Holiday requests	Workers are not able to take all their entitlement before the end of the year so lose it.
5.5 - Confidentiality	Information Commissioner	Organisations are required to register with the Information Commissioners Office if they process personal information. Many LPs are not aware of this fact (see link) https://ico.org.uk/about-the-ico/what-we-do/register-of-data-controllers/
5.7 - Discrimination	Diversity	Some LPs were unable to demonstrate the fact that they had openly & fairly recruited for all nationalities, and were found to only employ workers from one or two countries. Very few monitor the actual makeup of their workforce.
6.2 – Instruction & Training	Inductions	Some LPs are still not paying workers for training which forms part of the induction process. As the GLA Standard indicates <i>“Any time spent on training should be treated as an extension of time at work”</i>
6.3 – Safety at Work	Accidents	Failure to record accidents Failure to report accidents Lack of H&S knowledge (RIDDOR)
7.3 – Contractual Arrangements &	Contracts	Failure to provide copies, not understood by workers. Self-employment. No signed copies on file Issues that workers did not understand what

Records		they were signing, no explanation provided within their own language.
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Other issues reported or identified

- Cleaning companies now starting to apply. GLA further guidance on whether a licence is required for cleaning companies out in due course, but if in doubt contact the GLA immediately. As a general rule if its part of the process then it requires a licence.
- Businesses operate differently outside of the regulated sector with regards to certain standards. The GLA will expect compliance throughout the business and may take action if the business is deemed non-compliant and/or the PA not Fit & Proper
- GLA inspectors are still coming across copies of GLA licences. LPs should simply point any client towards the GLA public register as a means of verifying a licence is current and not encourage or facilitate copying.
- Lack of knowledge and awareness of GLA active check amongst LPs and LUs.