



## Compliance update

May 2017

Licence holders: 980

Ongoing applications: 20 (with a further 32 being processed and at various stages)

Ongoing compliance inspections: 26 (Including compliance, new business and change of Principal Authority)

### Common areas of non-compliance

Licensing Standard	Title	Non-compliance
2.2 Paying Wages	Personal Accident Insurance	Workers being pressurised to take out this on condition of employment
	Travel Time	Payment between assignments is an issue under scrutiny and review by HMRC and at present there is confusion within certain sectors namely poultry
	Training Time	Evidence that this is not being paid by some LPs - debate between LP/LU over who should be responsible
	LU Payments	Late payments by LUs resulting in a cash flow issue for the LP
	Bonds	Utility bonds being charged in addition to rent at caravan sites contravening NMW
	Piece rates	Lack of records to prove NMW is being met

2.3 Benefits	Holiday pay	<p>This area is again the most common in terms of alleged non-compliance with large amounts of holiday pay being alleged as unpaid to workers. Workers not being advised of the balance of days and hence are losing out at year end.</p> <p>Lack of understanding of their holiday entitlement. No details at all provided in some cases</p> <p>Delays by Job Centres in issuing NINOs in some cases over 8 weeks</p>
3.1 Mistreatment	Threats	Workers subjected to threats of sack if they did not stop complaining about accommodation problems
3.2 Bonded Labour	Passports	Passports being removed from workers on arrival at seasonal work contracts and held until the contract completion
3.3 Withholding wages	Various	Mainly associated with holiday pay but we have received allegations of disputes over hours worked and wages being held back
4.1 Accommodation	Quality	<p>There have been a number of recent occurrences of poor or very poor quality accommodation housing workers. Often difficult to address directly with the LP as often the LP merely recruits for the end user who supplies the poor accommodation (GLAA working with LA EH Depts. and also the Fire service)</p>

	Landlords	Increase in reports that landlords rather than LPs are exploiting workers, some within the sectors we regulate. In worst cases MS offences are being reported and evidenced. (GLAA working with appropriate agencies)
6.2 Instruction & Training	Training	<p>No specific training in place at LU sites. Workers not aware of H&amp;S issues or what they should follow on site etc.</p> <p>Consultants employed to carry out H&amp;S visits but no systems in place to record formally any findings and control actions.</p> <p>No formal training, passed on by other workers only</p>
6.3 Safety at Work	PPE	<p>Allegations of PPE charges being made</p> <p>Absence of PPE in some cases land workers and higher risk areas (chilled)</p> <p>Deposits charged for basic PPE</p>
	Night Workers	Health & RAs
6.4 Transport	Drivers	Hours, Pay, Limits of Driving Hours, Insurance. More recently some vehicles seen transporting workers that were not safe or legal (GLAA working with Police)
7.1 Fees & Services	Optional fees	This is an area that we continue to address especially with overseas businesses as workers report having to pay for services that may appear to be work finding fees GLA Brief 38 refers

	Travel & Translation	Large fees within these two areas being charged
7.3 Contracts	Contracts	Lack of knowledge regarding contents of contract  Zero hour contracts (seasonal workers and outside of the GLAA sector)  Copies not being provided
8.1 Sub-Contracting	Non-Declaration	S/C arrangements are not being declared to LUs & therefore there is no active check in place

### Other issues reported or identified

- ALP contact regarding members' concerns is working well between GLAA - ALP
- PA's leaving companies without notifying GLAA at the time to instigate CPA process.
- Statutory Sick Pay and Qualifying Days – email attached, we needed to seek advice from HMRC, case in particular where the qualifying day was the Wednesday. Not in itself a non-compliance
- Car Washes – Complete lack of adherence to legislation and respect of workers' rights
- Concerns raised by workers over Employment Status following BREXIT
- Ethical Audits are not picking up apparently simple non-compliance within supply chains
- Travel/drivers supplied from Licensed overseas agents are not being checked by UK LPs/LUs