



Gangmasters & Labour Abuse Authority

Minutes

Title of meeting	Labour Provider and Labour User Liaison Group Meeting		
Date	07 September 2017	Time	11am
Venue	GLAA, Nottingham		
Chair	Margaret Beels (MB)	Secretary	Angela Tilley
Attendees	<p>GLAA Margaret Beels (MB) Paul Broadbent (PB) Darryl Dixon (DD) Nicola Ray (NR) Katie Taylor (KT)</p> <p>LU/LP Jon Tugwell (JT) Fyffes Shayne Tyler (ST) Manor Fresh Sian Thomas (STH) Fresh Produce Consortium Tom Easson (TE) Ringlink Scotland Jane Bladon (JB) Staffline David Segust (DS) First Call Contract Services Lee Osborne (LO) (NFU) Graeme Sutton (GS) Jark (Hull) Ltd Lorna Bramwell (LB) Staffing Group Joanne Young (JY) GI Group Nicola Hope (NH) REC Gillian Haythornwaite (GH) ALP Sam Zubaidi (SZ) Jonathan Mason (JM) AG Thames Group</p>		
Apologies	<p>GLAA Ian Waterfield Neil Court</p> <p>LP/LU Liaison Group Colin Hall Richard Fletcher Andy York David Camp</p>		

1	<p>Welcome and introductions</p> <p>Margaret Beels (Chair) welcomed attendees.</p>
1 a)	<p>Apologies</p> <p>See above</p>
2 3	<p>Declarations of Interest</p> <p>David Segust, Jane Bladon, Tom Easson</p> <p>Minutes of the previous meetings</p> <p>Minutes of the meeting from joint LU/LP Liaison and Worker/NGO Liaison Group meeting held on 18 May 2017 were agreed.</p>
4	<p>Review of outstanding actions from previous minutes</p> <p>1. Review LP/ LU Best Practise guidance to incorporate transition to GLAA with draft to be circulated to group before next meeting – to be covered in Compliance update – Update to be given under Agenda Item 7.</p>
	<p>2. To investigate Romanian Labour Inspectorate requirements re LU agreements – DD reported that there was now a Romanian Inspector from Romanian Labour Inspectorate seconded to the GLAA for three months. It was hoped this would allow greater clarity on Romanian Inspectorate requirements. It is hoped that an update will be given on this subject in the future –</p> <p>ONGOING</p> <p>DD advised that DC had been e mailed with response which covered the general position of investigate Romanian Labour Inspectorate requirements re LU agreements. It was agreed that the response would be circulated along with the minutes to rest of group. ACTION POINT 1 – response from DD to be circulated. JM had further questions regarding Romanian Labour agencies not covered in this Action Point was agreed could be discussed after meeting with DD.</p>
	<p>3. Website to be updated with Freedom of Information cases, Parliamentary questions and details of Compliance Inspections – Website has now been updated with Parliamentary questions and details of Compliance Inspections. Freedom of Information Cases still to be updated – ACTION POINT 2</p> <p>Communications to update website</p>
	<p>4. Modern Slavery Helpline Statistics to be circulated - CLOSED DC requested formal position from GLAA with regard to interacting with Modern Slavery Helpline in order that licence holders could put issues to them ACTION POINT 3 – GLAA to advise on requested formal position</p>

5. Threat Assessment – request for further information regarding if it was in food sectors. Information to be examined and findings if any reported. – PB advised that labour exploitation issues were also in the textile, construction, demolition, waste recycling care home and hand car wash industries
6. Formal Request to National Referral Mechanism (NRM) to show breakdown in sector in NRM report – formal request has been made to National Crime Agency but a response has not yet been received .- **IW - ACTION POINT 4**
7. Discuss what information should be available for the threat assessment document - AGENDA ITEM 8
8. Meeting to be arranged to discuss progress of Licensing Standards Update - **NR - The Licensing Standard updates are still with the Home Office having been sent about three weeks ago but no update from Home Office received yet.**
9. Arrange next joint LP/LU Worker /NGO Liaison Groups meeting in March 2018. – **CLOSED – Date agreed 28 February 2017. – MB advised they were currently looking at the format of the next meeting. There was the possibility of including a workshop type event. Asked for questions from the group for content of meeting. – ACTION POINT 5**

5 Declarations of Urgent Business

Update on third party packaging.

6 Update from Chief Executive - PB

Quarterly CEO report had been circulated prior to meeting.

PB mentioned that £2m funding had been received from the National Policing Budget for the year 2017/18 following transition to the GLAA but the increased funding meant that we had to demonstrate the impact this increased funding had made. He said that since 1 May 2017 we had dealt with 183 criminal enquiries right across the labour market and he felt that this had justified the increased funding made available. Operations has taken place in the following areas had taken place – Kent, Merseyside, Northern Ireland, West Midlands, Derbyshire, Suffolk, and Thames Valley.

He reported that the GLAA had been involved in operations in the following sectors - food, farming, construction, care homes and immigration. He said it was important that the correct agencies were identified to best represent the type of worker exploitation being reported.

The nationalities of workers were becoming more widespread than those previously identified with Indian, Lithuanian, Polish, Romanian and Latvian workers.

Staff numbers continue to increase with induction programmes for newly recruited staff to be run in September with a hope that staffing levels will be approximately 125 by January 2018.

7

Compliance Update (NC)

Currently there are 1008 licence holders with a further 27 applications at various stages of progression. Ongoing compliance inspections were at 49 which included compliance, new business and change of Principal Authority.

Common areas of non - compliance include - Paying Wages, Benefits, Payslips, Mistreatment of Workers, Bonded Labour and Withholding Wages. (Wage theft), Rest Breaks and Safety at Work.

Mention was also made of the inconsistency of local regulations in respect of car washes.

It was also mentioned that Compliance (GLAA) has introduced a short questionnaire to capture feedback on Labour User (LU) visits made by GLAA inspectors. If LU's receive a visit will be sent a hyperlink to provide feedback.

The collaboration with the Romanian Inspectorate was highly successful. It is hoped that this will lead to greater intelligence sharing between the GLAA and the Romanian Inspectorate. It is hoped that in the future a Bulgarian Inspector will also visit the GLAA. It was requested that the group report any other sourced countries that may be problematic.

Question was asked about the enforcement aspect of the Taylor Report.

PB advised that the report is currently with the government for review and further action as it considers appropriate.

It was requested that the compliance report was circulated with the minutes –
ACTION POINT - 6

Comments /Questions regarding Compliance Report

ST advised of an expansion in sub-contracting due to reductions in numbers of workers seeking work in UK

DS asked what percentage of workers being exploited were in/out of GLAA sector.

PB responded it was c30% in GLAA sectors.

ST said we should celebrate good practice more. PB reported that this would be covered at the GLAA conference.

He also mentioned a case of a letter sent out by the British Retail Consortium (BRC) that had been incorrect. PB said he was aware of the letter and had contacted the BRC regarding the letter seeking corrections and an assurance that this would not happen again.

LB asked about charges for transport and how to be compliant whilst trying to ensure workers were able to pay transport costs. She mentioned that NC was currently looking into this.

GH said that this had been an issue which the ALP had raised with the Low Pay Commission and enquiries with HMRC had been a blanket response.

ST gave an update on LU Best Practise guidance which is currently being reviewed. He is part of a sub – group working on this. He advised there is still more work to be formalised but that the film being produced to highlight worker exploitation should be completed by early October. The film will be launched at the GLAA conference.

8 **Performance and Insight Update**

The performance and Insight document had been circulated prior to meeting.

PB advised that the performance and insight document would continue in parallel to the new approach of illustrating outcomes and values. The revised version would be more comprehensive.

MB commented that it was important that we are able to demonstrate good value for money to the Home Office. Data collected helped with this.

Generalised Intelligence Sharing - Group

9. Group discussed the problems of current labour shortages. Reasons given for shortages were that workers were no longer coming to UK but would for instance be seeking work in Germany where wages were higher. It was mentioned that labour shortages would lead to increased risks for workers. Poaching of staff by agencies was also identified to be on the increase caused by the shortage of labour.

ST mentioned that the Health and Safety Executive identified 16 to 18 year olds as high risk with many of the guidance documents being over onerous. They also could not be employed if not on a programme of training thus it was harder to employ people of this age group to assist with labour shortages.

TE explained they had the added issue of the Agricultural Wages Order which still operated in Scotland. He also said not many farmers are prepared to take on the risks of employing 16 to 18 year olds and the additional costs that are unsustainable.

Items for Discussion

10. **NGO-Worker Liaison Group Minutes**

10.1 The minutes of the meeting had been circulated prior to meeting.

MB reported some topics they had discussed were:

- The group had extended an invitation to Tony Eastaugh Director of Immigration Enforcement to discuss reactions of vulnerable workers to officialdom in particular issue around immigration status.
- The problems associated with the exploitation of homeless people
- Should construction be included in licensing regime?
- The TUC's survey of insecure work.
- It was reported that Unison's campaign to have tribunal fees abolished had been successful.
- Sir David Metcalf was looking for responses to his consultation on Labour Market Enforcement.

MB said she thought it was a good idea for the NGO - Worker Liaison Group and this group to share information where there could be common topics for discussion.

10.2 Update from group on the availability of labour

This topic had also previously been mentioned under agenda item 9.

ST mentioned that the situation regard shortages of labour had been one that had been on the increase since the beginning of the year and was now a lot worse. He said that at he had been unable to fill place placements and had to put a stop on new clients.

GH advised the shortages had worsened over the summer period with some farmers being unable to harvest crops.

SZ reported that growers are already trying to register for next year's work.

JM advised that there should be a time scale for putting something in place as this could be a major problem with farmers going out of business.

LO said the NFU had noted there was now more production in Central Europe and this is where labour would be working.

TE asked if the exclusion of farmer to farmer loans could be amended so that workers outside of farming could be used to supplement the workforce on farms in the same circumstances.

DD replied that any changes such as those proposed would need amendment to the Regulations and it would be a question of when this could be reviewed by the Government. Any changes such as this require changes to the legislation.

10.3 Professional Employer Organisations (POE's)

DD reported that these organisations were common in America. All the staff would be employed by another company as well as the provider. The POE would provide benefits such as health care to the employees.

These companies were now setting up in the UK and marketing themselves to companies.

DD explained there was little difference between these companies and umbrella companies. He also advised that the GLAA are currently looking into POE's and will update when any further information is available

10.4 Clearview Publication - GH

This publication had been circulated prior to the meeting for feedback /comment.

Main points advised were:

This was an on-line tool kit where there would be interactive guidance available which would be subscription based on a not for profit basis.

There would also be free access to some documents.

Codes of practice and brand retailer policies would also be available.

There would also be a reporting area.

It was hoped the website will be launched in January/February 2018.

Any feedback or questions on the publication to be directed to info@labourproviders.org.uk

10.5 Eliminating Recruitment and Employment Fees Charged to Workers in Supply Chains

Hannah Newcombe (ALP) joined meeting by teleconference to discuss agenda Item 10.5

The document - addressing poor recruitment practices in supply chains had been circulated to group prior to meeting for comment/feedback

Main points advised were:

The paper was a public draft setting out best practise to take into account the shift in standards and requirements for businesses.

It was presented as a live document with the option for 6 monthly revisions.

It provided good practical guidance for business and would help to mitigate how to reduce risks of debt bondage etc.

Information was available for how to deal with workers who had paid fees, where the responsibility lies in these instances, and information on how to deal with.

Any questions or feedback on the publication to be directed to info@labourproviders.org.uk

NH commented that the document only referred to current legislation in UK would be good if there was an appendix for different countries legislation?

10.6 Good Practise Checklist for Using Labour Providers - GH

This publication had been circulated prior to meeting. Any questions or feedback on the publication to be directed to info@labourproviders.org.uk

11 Any Other Business

None reported.

Date of next meeting – 23 November 2017

