



Gangmasters
Licensing Authority

GLA42/14 Review of the GLA Approach to the Agency Worker Regulations

16 July 2014

Board Paper Reference – GLA42/14 – Review of the GLA approach to the Agency Worker Regulations

1. Purpose of the Report

- 1.1. The Board agreed in April 2012 the GLA's approach for compliance matters under the Agency Worker Regulations ("AWR"). That position was reviewed at the July 2013 Board meeting. It was agreed that the GLA's approach should continue with a further review in 12 months.

2. Recommendation

- 2.1. The GLA should continue with the approach agreed at the April 2012 Board meeting.

3. Reasons for Recommendation

- 3.1. At April 2012 meeting, the Board agreed the position set out in the GLA Brief at annex A.
- 3.2. Reports to the GLA of problems related to the AWR are infrequent – no more than half a dozen in the last 12 months. Furthermore:
 - No inspections have been tasked on specifically the basis of AWR issues.
 - No decisions to refuse, revoke or attach licence conditions have been made which involve AWR breaches (although one decision to refuse a licence due to a lack of competence by the Principal Authority included a lack of knowledge with the AWR).
 - The GLA has not needed to address any minor AWR issues (such as contractual matters) through other correspondence.

4. Summary of the Key Points

- 4.1. The GLA does not consider a change in its approach to AWR related matters is necessary. As with other issues covered by the licensing scheme, the GLA will continue to monitor the level of risk associated with AWR matters which are applicable to the GLA Licensing Standards. Should an increased level of risk be identified, the GLA will review its operational approach accordingly.

5. Financial Implications and Budget Provision

- 5.1. There are no financial implications.

6. Organisational Risks

- 6.1. Not applicable.

7. Policy Implications and Links to Strategic Priorities

7.1. The issue is relevant to:

- Work with industry to recognise and address non-compliance without formal GLA intervention.
- Maintain credible licensing scheme creating level playing field and promoting growth.

8. Details of Consultation/ EQIA

8.1. Not applicable.

9. Background Papers and Relevant Published Documents

9.1. Relevant documents:

- Board Paper GLA 33/8.1 “Licensing Standards Review”
- GLA Brief 22 “Agency Worker Regulations”
- Board Paper 38/13 “Review of the GLA approach to the Agency Worker Regulations”

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