

GLA 37/8.2

GLA Consultation on changes to Application and Licensing Procedures

17 April 2013

BOARD PAPER REFERENCE – GLA 37/8.2. – GLA CONSULTATION ON CHANGES TO APPLICATION AND LICENSING PROCEDURES

Issue

Consideration of the outcome of the GLA consultation, and agreement to the recommendations proposed.

Attached are two papers on the consultation:

- Summary of responses received
- Post consultation conclusions and proposals

Background

The GLA commenced its consultation on 28 January 2013, and concluded on 22 March 2013. Thirty-one individual responses were received from across the stakeholders within the regulated sector.

A number of respondents provided additional comments, which are identified in the summary of responses paper. Where appropriate these will be either responded to directly, where the information sought refers to a third party, or passed to Defra, where the information is of relevance to their forthcoming consultation.

The conclusions flowing from this review will now additionally inform the detailed work required in the Red Tape Challenge work programme, which will include, for example, a review of the application form.

Recommendations

The GLA seeks Board agreement to the following proposals:

- Applicants will be screened to determine whether the circumstances mean there will be:
 - Mandatory inspection
 - Discretionary inspection
 - No inspection(see section 1 of the conclusions paper for full details)
- Views are sought from Board members on whether to require criminal disclosures, and, if so, from the PA alone or all named individuals
- Enhance information exchange with the Insolvency Service and VOSA
- Review Employment Appeals Tribunal decisions, and require applicants/licence holders to provide details of any employment tribunal decisions
- Review the benefits of a "Trades Union" protocol, and information from CAB
- Examine industry audits to determine whether they can assist GLA assurance, meet GLA concerns, and be accredited to develop their use for "earned recognition"
- Introduce longer licences for compliant labour providers with over 2 years continuously held clean licences

- Initiate random inspections for those who hold longer licences, and review Government checks in those cases (see section 4 of the conclusions paper for further detail)
- Raise awareness of reporting changes, and the actions of rogue operators within a licensed company, and enhance the sanction for a failure to do so, with a proportionate response where proactive notification assists labour exploitation being prevented and tackled
- Enhance the information on the public register, and related active check notifications (see section 5 of the conclusions paper for further detail)