

MINUTES OF THE THIRTY FIRST BOARD MEETING OF THE GANGMASTERS LICENSING AUTHORITY – 12 OCTOBER 2011, HELD AT NATURAL ENGLAND, NOTTINGHAM.

Present:

Margaret McKinlay	Chairman
Jeremy Cowper	Defra
David Camp	ALP
Steve Kemp	GMB
Gillian Mills	SAGB
Hannah Reed	TUC
Marshall Evans	REC
Joanne Young	ALP
Lee Bartlett	Home Office (UKBA)
(on behalf of Jeremy Oppenheim)	
Sharon Cross	NFU
David Coackley	HSE
Simon Chesterman	ACPO
Russ Hardy	Police Superintendents' Association
David Millar	DARD NI

In attendance:

Ian Livsey	Chief Executive
Ray Dawson	Chief Operating Officer
Darryl Dixon	Director of Strategy
Nicola Ray	Director of Projects
Jennifer Clarke	Communications/L&D Officer
David Nix	Head of Licensing

Observers:

Ivan Bartolo	Seafish Industry Authority
Paul Bettison	Local Government Regulation
Shayne Tyler	Manor Fresh
Hayley Campbell- Gibbons	NFU
Mick Duncan	Unite
Sian Thomas	FPC
Lisa Penny (teleconference)	Welsh Assembly
Frances Gillett (teleconference)	Welsh Assembly

Apologies:

Robin Wythes, HMRC	
Peter Stephens, BIS	Chris McCann, BRC
Keith Morrison, DARDNI	Jane Mordue, CAB
Rebecca Murphy, DWP	Nigel Jenney, FPC
John Gorle, USDAW	Ron Vass, Scottish Government
Graham Bruce, NFUS	

1	Introductions	
2	Apologies	<ul style="list-style-type: none"> Apologies for absence received from those noted above.
3	Minutes of the last Board meeting	<p>Note:</p> <ul style="list-style-type: none"> The minutes of the last meeting were agreed.
3.1	Action Points from Board Meetings	<ul style="list-style-type: none"> 11.2 Action completed 11.3 Olympics information to be submitted to DD 12 (1) Draft paper being presented at today's meeting. Re present at the next meeting 13 (5) work in progress 13 (6) work in progress 13 (9) covered under 31 10.1 13 (10) DD to discuss with FPC members after the meeting 13 (11) GLA brief being prepared
4	Declarations of Interest	<p>Note:</p> <ul style="list-style-type: none"> Marshall Evans, Joanne Young, Sharon Cross & Graham Bruce*, all are GLA licence holders. <p>* declaration by email, GB submitted comments on licence fees at 8.1</p>
5	Declarations of urgent business	<p>Note:</p> <ul style="list-style-type: none"> None.
6	Presentations :	<p>Note:</p> <ul style="list-style-type: none"> Operations update given by RD. Noted by the Board. <p>Action:</p> <ol style="list-style-type: none"> Pie chart of reasons for GLA Target 1.1 exploitation. Copy of protocol revision to be sent to HR to allow her to submit evidence prior to the meeting. To clarify the amount of the Home Office incentivesation scheme on the amount that can be retained by an organisation of proceeds of crime.
7	Audit and Risk Committee	<p>Note:</p> <ul style="list-style-type: none"> MM views the ARC as an important subcommittee of the Board. She had proposed that rather than meeting on the same day as the Board, ARC should meet independently to allow its advice to be fed into Board papers. The next meeting will take place on 25 November 11 which will allow the ARC to provide input to the 2012-13 budget setting ahead of the Board meeting in January. ARC needs additional members. Any Board member wishing to join the ARC should nominate themselves to IL before the next ARC meeting. MM advised that she will be refreshing the Risk Register. <p>Action:</p> <ol style="list-style-type: none"> MM to revise the Risk Register Nominations from prospective ARC members to IL before 25 November 11.
8.1	Fees Update	<p>Note:</p> <ul style="list-style-type: none"> It was agreed there will be no increase in Licence fees for 2012 -2013. The issue of a fifth tier for micros businesses was raised by DC. <p>Action:</p> <ol style="list-style-type: none"> To be carried forward to the next Board meeting.

8.2	Approach to Apprenticeship Training Agencies	<p>Note:</p> <ul style="list-style-type: none"> • TUC raised concerns about supporting the proposal and the potential deregulation of ATA's. • MM asked for more evidence of exploitation in ATAs from the TUC and others over the next 3 weeks. • The Board agreed to defer the decision until the January Board meeting • DD asked for more criteria for the framework to provide additional evidence for the apprenticeship approach. <p>Action:</p> <p>7. Paper to be represented at January Board meeting.</p> <p>8. Evidence of exploitation to be submitted to DD by 3 November 2011.</p>
9.1	Chair's 3 month review	<p>Note:</p> <ul style="list-style-type: none"> • MM reviewed her first three months in post at the GLA. • During this time MM has met with REC & ALP, visited a gangmaster and attended two GLA Operations Team meetings. • Meetings are to be held with the TUC & NFU. • The Red Tape Challenge is the most fundamental thing that MM is focused on. • With the EMB MM has conducted a SWOT analysis which recognised that the GLA has commitment from its workforce, is professionally minded and has a strong commitment. • Processes – these could be streamlined. • Communications – improvements could be made. Facts Sheets are needed to support the effectiveness of the GLA. • The lack of money is a challenge to the GLA.
9.2	Red Tape Challenge, Davey Review	<p>Note:</p> <ul style="list-style-type: none"> • JC gave an overview of the Red Tape Challenge (RTC) a government initiative aiming to reduce the burden of regulation. • RTC is looking at every aspect of regulation. Its current focus is on Employment Regulation • RTC starts from a presumption that regulations should be scrapped and requires the sponsoring departments to justify any retention against the government's policy objective of "light touch" regulation • Ed Davey will be making a statement on 12 October about the progress of the BIS review of Workplace Rights Compliance and Enforcement Arrangements. • Meantime, in the context of RTC, BIS had published a position paper. • Defra have met with BIS, GLA and Defra Legal to look at possible changes to the way that the GLA operates. <p>Action:</p> <p>9. Link to the RTC website to be circulated.</p> <p>10. Link to be circulated for BIS 'Flexible, effective, fair: protecting economic growth through a strong and efficient labour market' October 2011 report.</p>
9.3	Code of Conduct	<p>Note:</p> <ul style="list-style-type: none"> • The Board accepted the Cabinet Office 'Code of Conduct for Board Members of Public Bodies' – June 2011.

9.4	Forestry Task Force	<p>Note:</p> <ul style="list-style-type: none"> • JC updated the Board on the work of the Forestry Task Force. • This will be looked at in the context of other reviews. • The report will be shortly issued.
10.1	Licensing Standards Consultation Update	<p>Note:</p> <ul style="list-style-type: none"> • DN updated the Board regarding the Agency Workers' Directive. • The GLA will not be testing compliance against the directive at this point. • A discussion will take place in January about the directive and the standards consultation. <p>Timetable: 31 October 2011 consultation period ends 18 January 2012 (Board meeting) standards to be agreed 06 April 2012 revised standards operative</p> <p>Action: 11. Consultation responses to be sent to DN by 31 October.</p>
10.2	Appointment of Board members	<p>Note:</p> <ul style="list-style-type: none"> • There is a need to recruit six more representative members to the Board. • The majority of Board members' terms end at the 31 March 2012. • A Defra chaired panel with MM & a member of the Commissioner for Public Appointments will conduct interviews to fill the vacant posts. • MM will have 1-2-1 meetings with the existing members on the basis of which their terms will be extended for 2-3 years depending on their original date of engagement, and subject to a yearly appraisal with MM.
10.3	Relocation	<ul style="list-style-type: none"> • IL updated the Board on the relocation of the GLA offices. • In moving within the Nottingham area the GLA hopes to retain its staff. • Efficiencies have to be achieved in the relocation. • A voluntary exit scheme is now in place as part of the CSR10 cuts. This will inevitably hit frontline services. • There are no budgetary cuts at part of the CSR10 in 2013.
10.4	Macrory Penalties	<ul style="list-style-type: none"> • The Better Regulations Executive are currently reviewing their policy on civil sanctions.
10.5	Forestry Pilot	<ul style="list-style-type: none"> • DD gave an update on the Forestry Pilot scheme. • 17 new licence applications have been received since the commencement of the scheme.
10.6	Transfer of Appeals Secretariat	<p>Note:</p> <ul style="list-style-type: none"> • The Appeals secretariat has now moved to Her Majesty's Courts and Tribunals Service (HMCTS).
10.7	Minutes of Board Liaison Groups	<p>Note:</p> <ul style="list-style-type: none"> • The minutes were circulated for information.
11	Any other business	<ul style="list-style-type: none"> • DC asked for clarification on the GLA's approach to licensing companies with dedicated cleaning activities within the regulated sector. • GM reported that IFCA's now have a different remit and staff. <p>Action: 12. GLA to provide clarity and enforcement approach to those companies who have been trading without a licence before they were aware a licence was needed.</p>

		13. GM to circulate details to JC & IL.
12	Close and date of next meeting	<ul style="list-style-type: none">• Date of the next meeting to be 18 January 2012, Nottingham.