

MINUTES OF THE TWENTY-NINTH BOARD MEETING OF THE GANGMASTERS LICENSING AUTHORITY – 13 APRIL 2011 HELD AT NATURAL ENGLAND, NOTTINGHAM

Present:

Paul Whitehouse	Chairman
Jeremy Cowper	Defra
David Camp	ALP
Jane Mordue	CAB
Steve Kemp	GMB
Gillian Mills	SAGB
Hannah Reed	TUC
Nigel Jenney	FPC
Graham Bruce	NFUS
Chris McCann	BRC
Robin Wythes	HMRC
Sharon Cross	NFU
Simon Chesterman	ACPO
Marshall Evans	REC
David Coackley	HSE
Jeremy Oppenheim	UKBA

In attendance:

Ian Livsey	Chief Executive
Darryl Dixon	Director of Strategy
Nicola Ray	Director of Projects
Jennifer Clarke	Communications/ L&D Officer
Mark Heath	Operations Manager (part)
David Nix	Head of Licensing

Observers:

James Potter	NFU
Ivan Bartolo	Seafish Industry Authority
Paul Bettison	Local Government Regulation
Shayne Tyler	Manor Fresh
David Millar	DARDNI

Apologies:

Gerry Franks, LPC	
Russ Hardy, PSA	Ray Dawson, GLA
Peter Stephens, BIS	Graham Bruce, NFUS
John Speers, DARDNI	Joanne Young, ALP
Rebecca Murphy, DWP	

1	Introductions	<ul style="list-style-type: none"> It was noted that Jennifer Clarke has taken over from Janette Bonham as secretariat.
2	Apologies	<p>Ray Dawson, GLA Graham Bruce, NFUS John Gorle, Usdaw Russ Hardy, PSA Ron Vass, Scottish Government Ian Waddell, Unite Joanne Young, ALP Rebecca Murphy, DWP Gerry Franks, LPC</p>
3	Minutes of the last Board meeting	<p>Note:</p> <ul style="list-style-type: none"> Minutes agreed. Action points were discussed. <p>BM 11.5 No power to demand a deposit in the Appeal regulations. Defra lawyers advised this would not normally happen.</p> <ul style="list-style-type: none"> JC advised that the Appeals Secretariat is moving to the Tribunal Service. JC announced that Bronwyn Hill has replaced Helen Ghosh as Permanent Secretary.
4	Declarations of Interest	<p>Note:</p> <ul style="list-style-type: none"> None
5	Declarations of urgent business	<p>Note:</p> <ul style="list-style-type: none"> None
6	Operations Update:	<p>Note:</p> <ul style="list-style-type: none"> DD gave a presentation on operations. The alert system is now formalised and the protocol working well. Operations North - joint GLA op with Sussex Police involving Trafficking of Eastern European Workers, Forced Labour & GLA Offences. Operation took place on 16th December with two arrests. Vineyards – raising awareness in partnership with the industry. This has led to one licence application and a number of enquiries. Thanet Earth - UNITE TU reported in local press that workers employed at TE were being exploited/treated unfairly. GLA have engaged with both LU (Thanet Earth) and TU in order to establish LPs involved. GLA incepted operation re unlicensed Gangmaster ‘cockling’ off Leasowe in Wirral. Deploying Chinese (some illegal) and Eastern Europeans. Partner Agency working with 3 Police Forces, UK Border Agency, North West Sea Fisheries and Port of Liverpool Health Authority Operation Ruby – 7 defendants cleared of trafficking offences. This was a good example of multi agency working which predated the new forced labour offence. Travel Scheme – GLA issuing a questionnaire. RW (HMRC) drafting public statement. IL raised issue of the unintended consequences of licensing as we have received enquiries about Apprentices, Volunteers, Land Agents and the

		<p>Wildlife Trust.</p> <ul style="list-style-type: none"> • HR (TUC) made the point that apprentices were entitled to the protection of the law & JP (NFU) reminded the Board that apprentices were vital to the future prosperity of farming in the UK. • IL gave an update on the Dairy industry case, 19 labour users are being prosecuted, court hearing 20 May at Swindon Magistrates Court. Prosecution of the labour provider will be pursued in the future. <p>Action:</p> <ol style="list-style-type: none"> 1. Paper to next meeting on how the GLA are dealing with the approach 2. Update Board post court hearing 20 May.
7.1	ARC Report – End of year accounts	<p>Note:</p> <ul style="list-style-type: none"> • JM was delegated the Board’s authority to sign off the end of year report and accounts. <p>Action:</p> <ol style="list-style-type: none"> 3. Accounts to be circulated to Board members.
7.2	Draft Business plan 2011/12	<p>Note:</p> <ul style="list-style-type: none"> • IL presented the Business plan 2011/12. • There will be no Corporate plan this year as it is unknown what the GLA will look like in 6 - 12 months. • Board in agreement with the plan.
8.1	Organisational Structure and staffing issues post SR10	<p>Note:</p> <ul style="list-style-type: none"> • IL updated the Board on staffing changes. • Maria Wade, Head of HR, & the PCS were thanked for their help on staffing changes along with colleagues. <p>Action:</p> <ol style="list-style-type: none"> 4. Map to be circulated of location of front line officers.
8.2	Licensing Standards Review timetable	<p>Note:</p> <ul style="list-style-type: none"> • DN presented the timetable for the Licensing Standards review. • The review will focus on issues such as the fit and proper criteria, scoring and the impact of the Agency Worker Directive. • A discussion was held around the initial advice from BIS and the role of the GLA in enforcing the Agency Worker Directive. <p>Action:</p> <ol style="list-style-type: none"> 5. Board members invited to comment on paper (pre consultation) by 11 May. 6. Advise LPs which parts of the directive will be enforced from Oct 11. 7. GLA to provide brief.
8.3	Government review of workplace rights and compliance and enforcement arrangements	<p>Note:</p> <ul style="list-style-type: none"> • PW advised a meeting had taken place with IL, JC and Peter Stephens to gain early thoughts on what the review should cover. • PW has met with Dame Jo Williams, Care Quality Commission, who was unsighted on some of the employment problems in her sector and took a robust view of the need to deal with them, similar to the GLA approach.
8.4	Macrory powers - update	<p>Note:</p> <ul style="list-style-type: none"> • DD gave a presentation on the process of being granted the Macrory powers. <p>Action:</p>

		8. Presentation to be circulated to Board members and comments invited by 13 May.
8.5	Forestry Pilot Steering Group	<p>Note:</p> <ul style="list-style-type: none"> The steering group are due to meet on 9 May 11. <p>Action:</p> <p>9. Papers to be circulated to the Board as with Liaison Groups.</p>
8.6	Liaison Group Update	<ul style="list-style-type: none"> Note Labour Provider & Labour User Liaison group in the process of arranging meetings. Supermarket Protocol group are due to meet in May.
8.7	Board Expenses	<ul style="list-style-type: none"> Note Noted by the Board.
9	Any other business	<p>Note:</p> <ul style="list-style-type: none"> IL – GLA were included in the London Councils’ 2012 Games & Human Trafficking paper. DC & ST concerned by the lack of press releases leading to a perception of declining activity of the GLA. IL explained that this was regrettable, but caused by the reduction in back office staff. Arrangements were in hand to remedy the situation. GM thanked JC & J Marsden for the visit to a cultured shellfish farm in Essex recently. The appointment of the Chair of the GLA Board will be announced in May. [<i>Secretary’s Note: This is now unlikely until June.</i>] It was agreed that JM would continue as the Vice Chair [<i>Secretary’s Note: Added following clarification of the minutes at the 30th Board Meeting</i>] <p>Action</p> <p>10. Circulate the 2012 Games & Human Trafficking document.</p> <p>11. Olympic Games to be added to the agenda of the next meeting.</p>
10	Close and date of next meeting	Date of the next meeting to be 13 July 2011