

GLA18/7.3

Report on ALCs issued

16 April 2008

BOARD PAPER REFERENCE – GLA18/7.3 – Report on ALCs issuedIssue

1. This paper is presented in response to a request at the last Board meeting for information on the top ALC areas of non-compliance. It also indicates those non-compliances that led to refusals and revocations (i.e. not classed as ALC but identifying key areas of non-compliance).

Recommendations

2. None – for information only.

Background

3. This paper identifies the Top 10 failed licence standards, which led to licenses being issued with Additional Licence Conditions (ALCs), licenses refused or revoked.
4. A licence can have up to three ALCs attributed to it, as this would result in a licence standard score of 24 points. A score of 30 points or more would result in a failed application or licence revocation.
5. Currently there are 1185 licensed labour providers, of these, 109 are licensed with ALCs, as at 11/04/08. Demonstration of compliance with any ALC should be provided to the GLA within a three month deadline. This can be achieved from a compliance inspection, documentary verification or self declaration depending on the type of non-compliance identified. There are significantly less LPs who now have licences with ALCs than when the GLA commenced operations. This is encouraging, and demonstrates that LPs are making steps to improve compliance.
6. To date there have been 38 licences refused and 52 licenses revoked.
7. The following tables, using statistics from 1 April 2006 to 11 April 2008, show:
 - Table 1 Historic ALCs (i.e. the position based on all cases that have had ALCs, even though these may now be cleared)
 - Table 2 Current ALC failures (i.e. those that require clearance now)
 - Table 3 Licence refused (the top non-compliances leading to refusal)
 - Table 4 Licence revoked (the top non-compliances leading to revocation)
8. It should be noted that there are naturally more identified areas of non-compliance/ALC than LPs with ALCs; revocations; refusals, as frequently there will be more than 1 ALC/non-compliance reason to refuse or revoke.

Table 1:

Top 10 Historical ALC Failures	
7.3 Workers employed for 1 month or more receive a written statement of employment particulars?	173
6.1 Are adequate and effective arrangements in place for managing the health and safety of any workers provided?	129
2.9 Benefits are paid to workers	76
6.2 Is there evidence of the adequate provision of information, instruction training or supervision of workers?	71
2.5 Evidence that deductions (e.g. for transport or accommodation) are made from wages with the worker's consent?	65
10.1 If workers were associated with the applicant, were all workers legally entitled to work in the UK	58
9.1 Records of workers' details are kept	57
6.6 Have adequate arrangements and provision been made in respect of personal protective clothing, welfare facilities and first aid?	56
6.11 PSV registration and PCV licences exist	52
5.2 Workers working in excess of 48 hours per week have freely signed an opt out agreement?	43

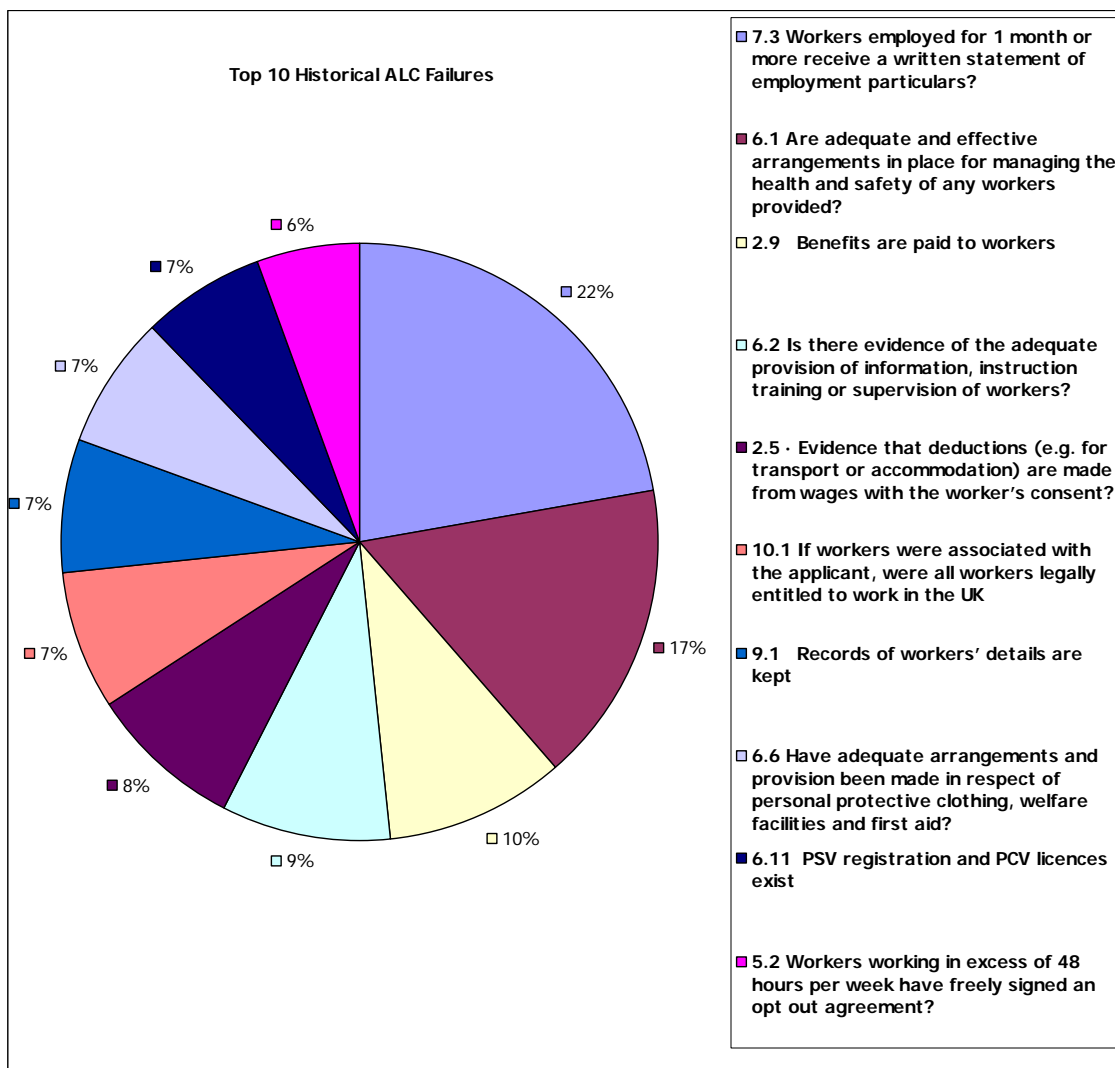


Table 2:

Current ALC Failures	
7.3 Workers employed for 1 month or more receive a written statement of employment particulars?	24
6.1 Are adequate and effective arrangements in place for managing the health and safety of any workers provided?	18
10.1 If workers were associated with the applicant, were all workers legally entitled to work in the UK	13
9.1 Records of workers' details are kept	8
2.5 Evidence that deductions (e.g. for transport or accommodation) are made from wages with the worker's consent?	7
6.2 Is there evidence of the adequate provision of information, instruction training or supervision of workers?	7
2.9 Benefits are paid to workers	6
6.6 Have adequate arrangements and provision been made in respect of personal protective clothing, welfare facilities and first aid?	6
5.3 Accurate records are kept of days and hours worked	4
5.2 Workers working in excess of 48 hours per week have freely signed an opt out agreement?	3
6.11 PSV registration and PCV licences exist	3
6.5 Are the arrangements in place for the safe use of plant, machinery or substances at work considered to be adequate?	3
2.1 Is the business registered as an employer with a PAYE reference number?	3

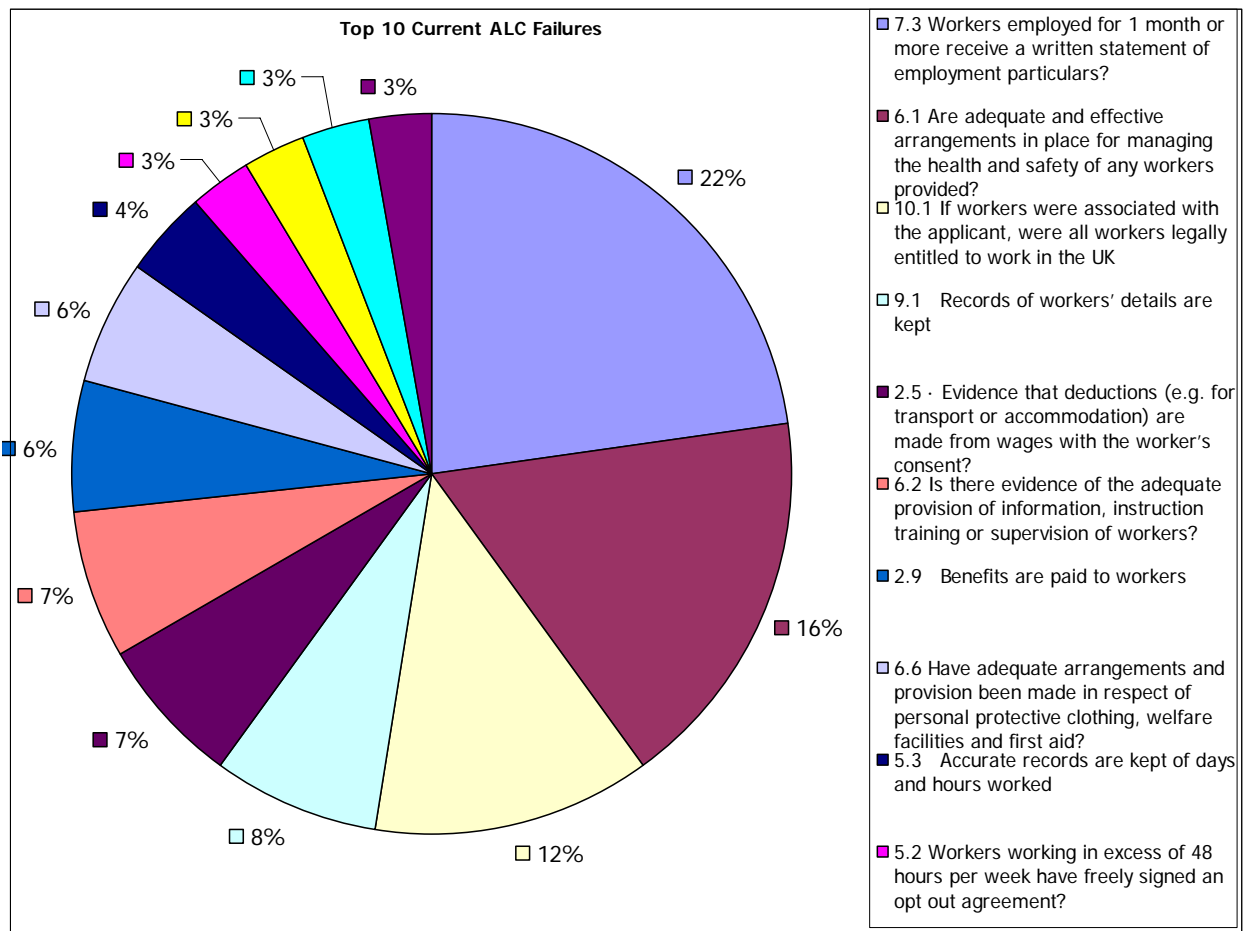


Table 3:

Top 10 Failures Licence Refused	
2.9 Benefits are paid to workers	41
6.2 Is there evidence of the adequate provision of information, instruction training or supervision of workers?	33
7.3 Workers employed for 1 month or more receive a written statement of employment particulars?	30
6.1 Are adequate and effective arrangements in place for managing the health and safety of any workers provided?	29
2.8 Have workers been paid consistently at or above the appropriate national minimum wage?	26
5.2 Workers working in excess of 48 hours per week have freely signed an opt out agreement?	24
10.1 If workers were associated with the applicant, were all workers legally entitled to work in the UK	22
2.5 Evidence that deductions (e.g. for transport or accommodation) are made from wages with the worker's consent?	21
9.1 Records of workers' details are kept	20
6.6 Have adequate arrangements and provision been made in respect of personal protective clothing, welfare facilities and first aid?	19

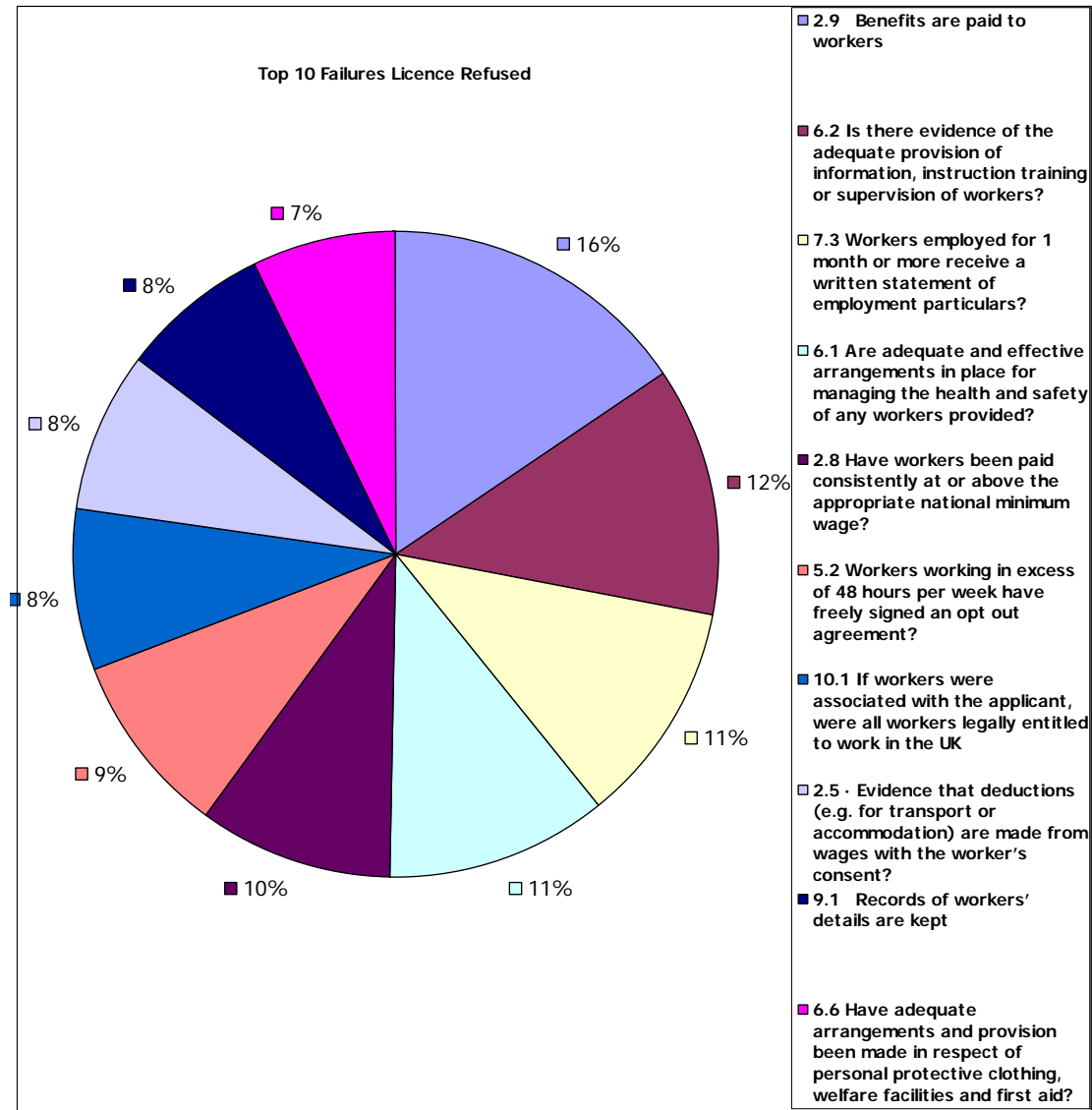


Table 4:

Top 10 Failures Licence Revoked	
7.3 Workers employed for 1 month or more receive a written statement of employment particulars?	35
6.1 Are adequate and effective arrangements in place for managing the health and safety of any workers provided?	29
2.9 Benefits are paid to workers	20
6.2 Is there evidence of the adequate provision of information, instruction training or supervision of workers?	19
10.1 If workers were associated with the applicant, were all workers legally entitled to work in the UK	18
9.1 Records of workers' details are kept	17
5.3 Accurate records are kept of days and hours worked	15
2.8 Have workers been paid consistently at or above the appropriate national minimum wage?	15
6.11 PSV registration and PCV licences exist	14
2.5 Evidence that deductions (e.g. for transport or accommodation) are made from wages with the worker's consent?	13

