



Gangmasters
Licensing Authority

Application Form Guidance

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1. Getting started

This guidance is designed to help you complete the GLA Licence Application Form. We would advise you to read through the guidance before starting your application.

You can apply for your GLA licence online at [How To Apply And Renew - Gangmasters Licensing Authority](#) or by telephoning the GLA helpline on 0345 602 5020.

You need to complete the application form as fully as possible so that we can make a decision as to whether to grant you a licence. If we need more information, or if your application is incomplete, we will contact you. Information on the application process is set out at [Appendix 1](#).

When completing the application, you will be asked to specify the sectors you want to operate in. The sector categories are:

- Agriculture
- Horticulture
- Food processing and packaging
- Shellfish Gathering

Before you start it would be helpful if you could get the following information and documents together (if they apply to your business):

- Companies House number, PAYE registration number, VAT registration number.
- Unique Tax Reference (UTR) number: this can be a company, business or personal UTR, depending on the nature of your business. The number will be different depending on the type of business applying.
- Turnover: please consider what you expect the turnover to be in the coming financial year, for work in the sectors covered by the Gangmasters (Licensing) Act 2004 (the Act).
- Personal information: includes personal address, date of birth, country of birth, job title, business phone number, business email address and National Insurance (NI) number (if there is one) for the Principal Authority, the directors and partners of the business.
- Named individuals: for applications for the agriculture, horticulture and food processing and packaging sectors with a turnover less than £5 million a year, we require details of those individuals in your business who are authorised to negotiate with labour users and supply workers within the regulated sector. If your turnover is greater than £5 million you may opt to provide job titles or the

names of individuals. All applications to operate in the shellfish gathering sector must provide the names of anybody who is authorised to act on your behalf (e.g. as a supervisor, intermediary).

The individual designated as the Principal Authority will be responsible for completing the information submitted in the application form. Principal Authority is a term that we use to describe the person responsible for the day-to-day management of the business.

A sole trader will always be the Principal Authority. In a partnership, one of the partners should be designated as the Principal Authority. In the case of a company the Principal Authority will normally be the managing director. However, if the person running the company is not a director then he or she should still be named. For example, the chief executive (or equivalent) would be the obvious individual to name as the Principal Authority, whether a director or not.

The Principal Authority may delegate the input of information onto the form, but they must ensure the form has been completed correctly before the declaration at section H is signed by the Principal Authority. Responsibility for notifying the GLA of organisational changes after the form has been submitted rests with the Principal Authority. The Principal Authority can delegate the responsibility for notifying the GLA of changes in details to another person in the organisation (the alternative business representative). If so they will need to be authorised to do so - if you wish to do this please complete questions B11-B20.

For further guidance on the expectations the GLA has of applicants and licence holders please see the [GLA Licensing Standards](#).

A glossary of terms used in this guidance can be found in [Appendix 2](#).

Information that you supply to us when you apply for your licence will be pre-printed on the application form posted to you. If any of this information is wrong, or has changed, please amend the form. If you make a mistake do not overwrite the mistake instead cross through the mistake with a single line, and write the correct information above the mistake in **black ink and capitals**.

Please answer all of the asterisked questions on the form. If you do not answer them we will need to contact you for this information. It may delay the processing of your application. Answer Yes or No questions by putting a tick in the relevant box.

When you submit your application form you will be provided with a **Unique Reference Number (URN)**. Please record your URN since this may be required if you contact the GLA. You might find it useful to write your URN in the box below and then keep these notes somewhere safe for future reference.

URN:

The following sections tell you more about what information we need.

2. Who should apply?

Section 4 of the Gangmasters (Licensing) Act 2004 defines the term “gangmaster”. Detailed guidance on who needs a licence is available on the GLA [website](#) or by contacting the GLA helpline on 0345 602 5020. In general terms acting as a “gangmaster” includes:

- supplying labour to agriculture, horticulture, shellfish gathering and food processing and packaging,
- using labour to provide a service in the regulated sector, or
- using labour to gather shellfish.

A licence can be granted to any kind of legal entity, including individuals (sole traders), limited companies, unincorporated associations or partnerships.

The GLA takes a wide interpretation of the term “supply”. Employment Agencies and employment businesses that come within the scope of the licensing scheme, whether supplying temporary or permanent labour, will be tested against the licensing standards. Labour includes all workers, whether temporary or permanent.

If the work is undertaken in the UK, a licence is required regardless of where the business is located.

Someone is considered to be “using” labour if they employ the worker under a contract of employment or engage him or her under a contract for services. The GLA also considers someone “using” labour if they make arrangements with the worker that:

- require the worker to follow his or her instructions,
- determine where, when or how the worker carries out the work, or
- (for using workers to gather shellfish) require the worker to sell their gathered shellfish to them as the first link in the buying chain.

The above applies whether the licence holder makes these arrangements directly with a worker or makes them indirectly through another person, for example a supervisor, intermediary or agent.

If a group of companies’ wishes to apply for a GLA licence, each company that is a separate legal entity wishing to trade in the GLA regulated sectors will need to apply for its own GLA licence. It is not sufficient for the parent company to hold the licence alone.

Franchises will be required to hold an individual licence if the franchise has a different companies house number (if a company) or different UTR /VAT number. If

these registration numbers are different the franchise will be regarded as a separate legal entity and therefore, require a separate GLA licence.

For more information regarding who needs a licence please review the guidance on who needs a licence on the GLA's [website](#).

Section A: organisation details

Question Number	Explanation
A1	This is the name of the organisation you manage as the Principal Authority.
A2	If you have a trading name that is different from the name in A1 that you use for the business when dealing with workers and customers write it in the space provided. You can add more than one trading name if required. If you have a trading name that belongs to a separate legal entity you will need to make a separate application for that business. The GLA will only issue one licence per legal entity.
A3 – A7	<p>Please give the address of your principal place of business. This is where the company carries out most of the day-to-day running of the business. This is likely to be the office you work from.</p> <p>We require a business phone number. If you do not have a business number it may hinder the application process. The other contact details (e.g. mobile number and email address) are optional but will assist the GLA if we need to contact you regarding your application, and to notify you of our decision.</p>
A8	Tick the box that indicates your preferred method of communication with the GLA. If you choose email we will be able to communicate with you quickly. We will contact you at the email address that you provided at A6. Do not forget to advise the GLA if you change your email address.
A9	You need to state the legal status of your business.
A10	If you are a Registered Company please provide your Companies House number. If you cannot remember the date when your company was registered please put an approximate date e.g. 2000.
A11	Please give the PAYE reference number for the business or tick the box to indicate you do not have one. The GLA requires this number to assist in its checks with HMRC. If you know when your number was issued please put the date in the space provided. Please leave the section blank if you do not know the number or date.

Question Number	Explanation
A12	<p>If a company exceeds a certain turnover it must be registered with HMRC for VAT and a VAT number will be issued. You can find this number on documents issued by HMRC, such as your VAT Certificate of Registration (VAT 4) or regular VAT return. The GLA requires this number to assist in its checks with HMRC. If you know when your number was issued please put the date in the space provided. Please leave the section blank if you do not know the number or date.</p>
A13a / b / c	<p>These questions ask for the UTR applicable to the applicant organisation. The number will be different depending on the type of organisation applying. Sole traders, partnerships and companies all have their own UTR.</p> <p>You can find this number on documents issued by HMRC, such as Self-Assessment (SA100), a “Notice to complete a tax return” (SA316 or a Statement Account.</p> <p>The UTR is made up of 10 numbers, for example 1234567890.</p> <p>If you are not sure what your UTR is please contact HMRC or your tax advisor. The GLA requires this number to assist in its checks with HMRC. If you know when your number was issued please put the date in the space provided. Please leave the section blank if you do not know the number or date.</p>

Question Number	Explanation
<p>A14</p>	<p>Please state the sector(s) you intend to supply workers to. It is an offence to operate in the sectors regulated by the GLA without a licence. If you are applying for a licence you should not provide workers in these sectors until a licence is issued to you. If you are currently providing workers in the GLA's sectors you should advise the GLA of the activities you have been undertaking. The GLA will decide whether further action is required. Any action considered appropriate will be in line with the GLA's Enforcement policy statement. You can find out more information by viewing this statement on the GLA's website:</p> <p>http://www.gla.gov.uk/Publications/Enforcement-and-Compliance-Publications/</p> <p>Your application may be delayed if you are found to be unlawfully trading without a licence.</p> <p>Please tick the boxes that apply. If you feel that the industry sector you operate in is not covered but you think the Act covers you please call the GLA for clarification.</p> <p>This question is important as it determines the sectors you will be authorised to operate in if you are granted a licence. Any licence holder with a licence covering only the agriculture, horticulture, food processing and packaging who wants to extend the licence to cover shellfish gathering, or vice versa, would need to contact the GLA to apply again.</p>
<p>A15</p>	<p>Please tick one or more of the boxes to show which country or countries your workers are or will be working in, not where you are based. If your workers work in Northern Ireland this will be shown on the Public Register of Licence Holders if you are granted a licence so it is important that this is included.</p>
<p>A16</p>	<p>Please state what you expect the annual gross turnover to be in your first financial year of trading in the regulated sectors. This information will be used to calculate your licence application fee.</p>
<p>A17</p>	<p>The application fee will be calculated on your behalf based on your expected gross annual turnover in your first financial year of trading in the regulated sectors. The fee levels are set out in section G.</p> <p>You should notify the GLA immediately if this figure is found to be incorrect and you will be required to provide an up to date figure at each annual renewal.</p>

Section B: Principal Authority details

The Principal Authority should complete this section. In the case of a sole trader please give your details. Your details will be checked to ensure the information you have given is correct and that you are a fit and proper person. Please see [appendix 5](#) for more information on how the GLA assesses fit and proper. The Principal Authority is assumed to have the authority to act as a gangmaster and will be individually named on the licence. Please also see the GLA Licensing Standards which contains a description of the competency test the Principal Authority will be expected to meet – Licensing standard 1.2. The Principal Authority must be an employee of the business.

Question Number	Explanation
B2	If you are or have been known by any other name please provide this in the boxes provided. This may be a previous surname e.g. maiden name that you have used, and any different forenames that you are commonly known by.
B6	Enter your full personal address. If you are based outside the UK and do not have a postcode you may enter the word “none”.
B7	Enter your individual business phone number.
B8	Enter the mobile phone number that you use for business calls, if you have one. If you only have a personal mobile you do not need to provide that number unless you wish to.
B9	Enter your individual business e-mail address if you have one.
B10	You can find your NI number on Department for Work and Pensions (DWP) or HMRC documents e.g. P45 and P60. Your NI number can also be found on your payslip. Please leave this blank if you do not have an NI number.
B11–B20	Should you wish to nominate another person to act on your behalf, when updating licence details completing licence renewals or liaising with GLA staff please give their details. Please note they will not be named as individuals authorised to supply workers unless they are named in section D.

Section C: other directors, company secretary and partners details

Please complete the following details for all directors and the company secretary (in the case of a company), and all partners (in the case of a partnership). If your organisation is registered with Companies House these will be the same directors and company secretary registered with Companies House. If the organisation is a

charity please put the trustees of the charity in the spaces provided for directors and partners.

Question Number	Explanation
C1-9	The same information is required for each director or partner as listed in section B.

Section D: named individuals and additional job titles

For applications for the agriculture, horticulture and food processing and packaging sectors with a turnover less than £5 million a year, we require details of those individuals employed by your business who are authorised to negotiate with labour users and supply workers within the regulated sector. **You must include the names of directors / partners already supplied in Section C who have the authority to undertake this activity.** If your organisation does not have employees who fulfil this role (i.e. it is only you) please go to Section E.

All applications to operate in the shellfish gathering sector must complete this section. If you are applying to use workers for gathering shellfish, we require the details of anyone who is authorised to act on your behalf (e.g. as a supervisor, intermediary).

Question Number	Explanation
D1-D3	Please complete for each individual

For applications for the agriculture, horticulture and food processing and packaging sectors, if your turnover is greater than £5 million, you may opt to provide the job titles (e.g. recruitment consultant) for your staff who are authorised to negotiate the supply of workers. Please indicate how many people are employed in this capacity in the space provided below. If you have identified more than one job title to list please add them in this section and use the continuation sheet if required.

This section does not apply for applications for the shellfish gathering sector.

Question Number	Explanation
D1- 2	Please provide the job title you use and the number of people currently employed within this capacity.

Section E: GLA security questions

The following questions will assist the GLA in determining whether inspections are required, and what additional checks may be required.

Question Number	Explanation
E1	<p>Please state your current country of nationality i.e. the country that issued your passport. This may be different from your nationality at birth. If you do not have a passport you should state the country that you consider is your current nationality. If you were born anywhere in the UK, or currently have UK nationality you should still complete this section. If you have dual nationality please state both nationalities in the space provided.</p>
E2	<p>You do not require a UK passport to be licensed. However, you must be the legal holder of a genuine document. Your documents must be valid and issued by a government or authority. The most common examples of travel documents are National Passports or 1951 Convention travel documents for refugees</p> <p>European Economic Area (EEA) citizens may also travel using a National Identity Card.</p>
E3	<p>EEA and Swiss Nationals have the right to live and work in the UK.</p> <p>You and your family members can:</p> <ul style="list-style-type: none">• accept offers of work• work (whether as an employee or in self-employment)• set up a business• manage a company• set up a local branch of a company <p>All nationalities outside of the EEA will need permission to work before arriving in the UK. Please refer to UK Visas and Immigration for further details https://www.gov.uk/government/organisations/uk-visas-and-immigration Please also see appendix 3.</p>
E4	<p>You should have obtained permission to work via the Home Office before arriving in the UK and commencing any work. Please provide details of how long you have worked in the UK and confirm in section E5 that you had permission to do so before that work period commenced.</p>

Question Number	Explanation
E5	<p>Citizens outside of the EEA will require permission to work prior to arrival in the UK. Please refer to UK Visas and Immigration for further details https://www.gov.uk/government/organisations/uk-visas-and-immigration See guidance at E3 for EEA citizens.</p> <p>Current Immigration Status - you should enter here any restrictions to your right to remain in the UK. If you are subject to any immigration restrictions please declare this even if the matter is subject of an appeal. This section should include visa restrictions such as “limited leave to remain in the UK” or where you have been granted permanent UK residency.</p>
E6	<p>Normally only those citizens outside of the EEA will be subject to a limited right to remain in the UK. These details can normally be found on your visa or travel document or on any official document you may have received from the UK Visas and Immigration. If you are unsure about whether or not you are subject to any restriction you are advised to contact the UK Visas and Immigration.</p>
E7	<p>An un-discharged bankrupt is a person who has been made bankrupt and has not yet received discharge from the Bankruptcy Order. If you are unsure whether you are an un-discharged bankrupt you should check with the Insolvency Service.</p>
E8	<p>If you have previously been disqualified as a Director of another company under the Companies Act you should contact the GLA and provide details on when this occurred and why.</p>
E9	<p>You may be the subject of a restraint or confiscation order if you have been prosecuted for a criminal offence and an Order was made to seize your assets. If yes, please provide a brief description of the action taken against you in the space provided.</p>

Question Number	Explanation
E10	<p>If you have a criminal conviction that is not “spent” (as defined by the Rehabilitation of Offenders Act) you should provide details of the conviction(s) here. If you received another form of sanction or penalty as an alternative to prosecution within the last 12 months only, you should provide the details in this section. This can occur, for example, where the police issue a caution, or an offence against a government department is dealt with by a financial penalty. Alternative sanctions may have different names, but include:</p> <ul style="list-style-type: none"> • Warnings • Cautions • Administrative Penalties • Fines • Financial Settlements that include an element of financial penalty • Improvement Notices (often requiring an improvement in the services provided to avoid prohibition of trading) • Prohibition Notices (a notice requiring the cessation of trading). <p>These are the sorts of penalties that may be issued by the government departments that we undertake checks with/against your application. In all cases we will undertake checks with:</p> <ul style="list-style-type: none"> • HM Revenue and Customs • Department for Work and Pensions • Home Office Immigration and Enforcement • Health and Safety Executive • UK Visas and Immigration • Police
E11	<p>You may have been interviewed regarding alleged offences that have not reached a decision on whether a prosecution or alternative sanction or penalty is appropriate. Please give the date and a brief description of the alleged offence. Use the continuation sheet to provide full details, if necessary. This information will be checked with the government departments listed above.</p>
E12	<p>In this section we require information on anyone else, other than yourself, who is named on the application in sections B, C, D, who may be subject to immigration control, and requires a VISA or other authorisation to work in the UK. The information required is explained above in E5. In the space provided you should provide full details for any named individuals that have such restrictions on their stay in the UK, including when that right to remain and work in the UK expires. Please read the guidance in E6 to assist you in providing the correct information.</p>

Question Number	Explanation
E13	In this section we require information on anyone else, other than yourself, who is named on the application in sections B, C, D, who may have been subject to bankruptcy proceedings. The information required is explained above in E7.
E14	In this section we require information on anyone else, other than yourself, who is named on the application in sections B, C, D, who may have been subject to being disqualified as a Director of a company. The information required is explained above in E8.
E15	In this section we require information on anyone else, other than yourself, who is named on the application in sections B, C, D, who may have been the subject of a restraint or confiscation order on their financial assets. The information required is explained above in E9.
E16	In this section we require information on anyone else, other than yourself, who is named on the application in sections B, C, D, who may have an unspent criminal conviction, or received an alternative sanction or penalties for proven offences. The information required is explained above in E10.
E17	In this section we require information on anyone else, other than yourself, who is named on the application in sections B, C, D, who may have been interviewed regarding alleged offences that have not reached a decision on whether a prosecution or alternative sanction or penalty is appropriate. Please give the date and a brief description of the alleged offence. This information will be checked with the government departments listed above.
E18	In this section we require information on anyone who is named on the application in sections B, C, D that have or have previously held a GLA licence, been named on another GLA licence or worked for another GLA licence holder. You should provide details of the business they worked for, or ran, together with the licence number (where known). If you or one of the individuals provided advice to another person, business, or businesses that supplied workers in the GLA's sectors you should also provide details of which person or business/businesses they advised.
E19	You should list here the previous names you (as a director or partner) or the current business has traded under. The GLA only requires information relating to those businesses that have traded in sectors covered by the Act.

Section F: organisation details

The questions in this section relate to the organisation and will assist the GLA to determine if an inspection is required.

Question Number	Explanation
F1	<p>The GLA regulates the provision of labour in the agriculture, horticulture, shellfish gathering and related processing and packaging activities. If you are seeking a licence for this activity we want to know whether you are a completely new business that is not providing labour to any industry sector, or whether you currently operate outside our regulated sectors. The information will assist us in determining how we will complete your application inspection. If you have contracts outside of our sector, the GLA will discuss the inspection of contracts outside the regulated sector, to assist in determining how a labour provider operates, and whether they are compliant with the Licensing Standards. A visit to such labour users will occur after discussions with the applicant. If the GLA identifies potential issues they will be taken into account in reaching a decision on whether an applicant is considered “fit and proper” to hold a licence.</p> <p>Please indicate if you provide workers to the following sectors of industry: Administration and Office Work, Construction, Computer Services, Education and Cultural, Entertainment and Leisure, Financial Services, Government, Health and Medical, Hospitality and Catering, Law Related Work, Mining, Non-food Manufacturing, Real Estate and Property, Retail, Security and Protection, Telecommunications, Transport, Utilities (Gas, Electricity, Water), Other</p>
F2	<p>If you do not intend to have in place a written agreement to supply labour with labour users you should answer the question by ticking “no”. If you intend to have written agreements with all of your customers please tick “yes”.</p> <p>If you are applying to use workers to gather shellfish, please tick no.</p>
F3	<p>If the business is controlled by an individual or businesses not declared on the application form it is important to give their details. This is any person other than those named in section B capable of having a significant influence on the policy or management of the business. For example, a person having a substantial shareholding or other financial investment or having a relationship with the principal authority which enables them to exercise an element of control. If this is an individual please submit the personal details as they were requested of the principal authority as stated in questions B1 – B10. Failure to do so will be viewed as a false declaration resulting in the refusal of the licence.</p>

Question Number	Explanation
F4	You will need to answer “yes” in this section if your business operates from another location other than your main or head office. You should provide full details of the way in which your business operates using the drop down menus.
F4a	If you use workers to gather shellfish, please give the average number of workers in your group.
F5	If you provide or intend to provide transport or intend to use vehicles contracted from another business (e.g. a coach hire company) you will need to declare this in this section. You are advised to seek guidance on the provision of transport by referring to the Driver and Vehicle Standards Agency https://www.gov.uk/government/organisations/driver-and-vehicle-standards-agency and also the guidance with regard to National Minimum Wage https://www.gov.uk/national-minimum-wage
F6	This question covers accommodation provided or effectively provided by you the Principal Authority or the applicant business. This question does not cover accommodation that the workers may have found themselves. If you have arranged accommodation for your workers please provide the details here. This includes accommodation provided directly by you or if you have arranged for someone else to provide this service on your behalf. For a definition of what it means to effectively provide accommodation please see appendix 5 .
F7	If you supply workers from the European Economic Area (EEA) and non-EEA countries you should tick both boxes. Please list the 5 main countries (other than the UK) that your workers come from as this will enable us to identify which interpreters we may need if an inspection is required. You may provide further information in the space provided. Further information on EEA countries is included at appendix 3 .

Question Number	Explanation
F8	<p>Please select all applicable fields.</p> <p>An “employee” is an individual who has entered into or works under a contract of employment. Please also tick here if you intend to use a contract of service.</p> <p>A “self-employed worker” should be registered as such with HM Revenue and Customs.</p> <p>“Permanent worker” refers to those introduced by you to work for another licence holder or labour user. In these circumstances, you will not have an ongoing relationship with the worker after you have supplied them.</p> <p>“Posted worker” is a person who, for a limited period of time, carries out his or her work in the territory of an EU Member State other than the State in which he or she normally works.</p>
F9	<p>If your business has been banned from trading you need to provide us with the following details:</p> <ul style="list-style-type: none"> • the date the ban was imposed • the reason why you were banned and • if the ban has been lifted and when it was lifted <p>If you require more space for your explanation please use the continuation sheet provided.</p>
F10	<p>The GLA needs to understand whether your operating business model includes the use of sub-contractors who provide labour to you. As you may use subcontractors in our regulated sector this is important to consider when we undertake your application inspection. It is also important to understand, if the GLA issues a licence, and you use subcontractors in the regulated sector they must also hold a licence before you use them.</p>
F11	<p>If you are based outside the UK, please answer “yes” if you are registered for labour or tax purposes in the country you are based in. If you answer “yes”, please give details of this registration, for example please give your registration number and name of the responsible Authority.</p>
F12	<p>If you are based outside the UK do you require a licence or registration in your own country to supply workers to the UK labour market? Please give details of your licence / registration.</p>

Question Number	Explanation
F13	If you are based outside the UK, please give details of any further authorisations you may need to supply workers overseas.
F14	If yes please state the specific registration that applies for this purpose, and the name/number of the form that your workers are required to have (if appropriate).

Section G: application fees

The application fee will be calculated on your behalf based on your expected gross annual turnover in your first financial year of trading in the regulated sectors. The fee will be based on the turnover figure that you provided at question A16.

Annual turnover in the licensed sectors	Fee Band	Application fee	Inspection fee	Total application and inspection fee
£10 million or more	A	£2,600	£2,900	£5,500
From £5 million to less than £10 million	B	£2,000	£2,400	£4,400
From £1 million to less than £5 million	C	£1,200	£2,150	£3,350
Less than £1 million	D	£400	£1,850	£2,250

Please also note that should your application fail or be cancelled after receipt of cleared funds, **all** fees and charges are **non-refundable**. When you apply for a new licence you will need to pay an application fee and an inspection fee. These costs are non-refundable whether your licence is granted or refused

[Appendix 4](#) explains the different methods open to you to pay the fees due.

Section H: declaration and consent

The information you provide will be used to assess your application. It may be checked with other Government Departments and authorities (such as Local Authorities) with the legal right to access information held by the GLA. It may also be checked with financial and other organisations involved in crime prevention for the purpose of preventing and detecting crime (including the Police, the Audit Commission and any other body with relevant audit powers). This includes overseas equivalents of UK government departments and enforcement bodies.

Section H requires the Principal Authority to sign and date the form to confirm that they:

- Understand and accept that the information contained in the application form may also be shared and checked with other Government Departments and their agencies.
- Declare that the information given in the application form and any supporting material is correct to the best of your knowledge and belief and that you have not deliberately omitted any necessary material or made an incorrect statement. You understand that if deliberate omissions or incorrect statements have been made your application may be refused without further consideration. You further understand that deliberate omissions or incorrect statements may be liable to prosecution and/or sanction.
- Understand that the GLA may contact you by telephone and ask for details regarding personal information. You consent to this subsequent information being used in the assessment of your application.
- Agree to notify the GLA within 20 working days of any significant changes to the information recorded on the application form.

Changes in Details

If your registration details change at **A10 – A13c**, it may indicate that your business has changed materially and a new application is required. The GLA will determine this on a case by case basis.

We will require details of any changes in the contact details for Principal Authority, directors, partners and those named at section **D part 1 and part 2**.

If the details in **F4, F4a, F7 and F8** or section **E** change significantly you should notify the GLA. If the changes are minimal (e.g. you employ a worker from a different country) this does not need to be notified to us.

Data Protection Act 1998 – Fair Processing Notice

The purpose of this Fair Processing Notice is to inform you of the use that will be made of your personal data, as required by the Data Protection Act 1998.

The GLA is the data controller in respect of any personal data that you provide when you complete the application form.

The GLA will use information provided for the purposes of processing and approving GLA licences and monitoring the activities of people providing labour in the licensable sectors. This will include determining whether an organisation requires an application inspection. The information provided in connection with a licence application will be disclosed to other government departments and agencies to check the accuracy of the information provided, and to determine whether the Principal Authority and the organisation are “fit and proper” to hold a GLA licence. The data collected may also be used to provide publicly available statistics that will not identify individuals.

The information, including your personal data, may be used for other purposes, including being passed to other Government departments and public authority agencies in the UK and overseas where necessary for fulfilling the enforcement of any other law relating to your activities.

The GLA may be required to release information, including personal data and commercial information, on request under the Freedom of Information Act 2000. However, the GLA will not permit any unwarranted breach of confidentiality nor will we act in contravention of our obligations under the Data Protection Act 1998. A copy of the GLA's Data Protection registration can be obtained by contacting the Information Commissioner's Office on 0303 1231113 (local rate number), 01625 545 745 (national rate number), or at <http://ico.org.uk/>

Appendix 1

We will not commence processing your application until the appropriate fees have cleared through the banking system, your application form is complete, and we have all of the additional information we may ask for.

Checks

We will check your application with the following government departments in every case:

- HM Revenue and Customs (HMRC)
- Home Office
- Department for Work and Pensions (DWP)
- Health and Safety Executive (HSE)
- UK Visas and Immigration

We ask these departments for information because we want to identify whether:

- You are registered for PAYE and VAT (if appropriate), are up to date with payments to HMRC, and that you have not been prosecuted or penalised for non-compliance with the areas identified above
- You have paid income tax, NI and VAT that is due
- You have been prosecuted or warned for non-compliance with the regulations on employing workers from abroad
- You have been prosecuted, cautioned or received any other form of penalty for de-frauding the benefits system, or colluding with others to do so
- You are compliant with health and safety legislation and have not operated in a manner that places the safety of your workers at risk
- You are paying the national minimum wage/agricultural minimum wage, and have not been prosecuted for underpayment or making irregular deductions from the pay of your workers
- You are compliant with the regulations that currently apply to your business where it also operates as an employment agency or employment business (this applies whether you/your organisation currently supplies labour in the regulated sectors covered by the GLA licensing regime, or intends to)

We will make checks with other national and local government, police, and enforcement bodies where we consider it is relevant and appropriate to do so. We will seek information from these bodies to determine whether you/your organisation is, and has been, compliant with the legislation that they enforce. We will request information that identifies whether you are compliant with the GLA Licensing Standards, and whether you/your organisation has ever been prosecuted or received other forms of penalty for non-compliance. Other forms of penalty that they have imposed include (but not limited to):

- formal cautions
- fines
- financial penalties offered as an alternative to prosecution (these may be known as administrative penalties)
- prohibition notices (where you have been instructed to cease trading)
- improvement notices (where you have been instructed to improve certain processes in order to continue to trade)

Next, we will decide whether an application inspection is required. This will be conducted against the GLA Licensing Standards to assess your compliance with those standards. You can find out more about the Standards by going to <http://www.gla.gov.uk/> or by phone on **0345 602 5020**.

When we have all the information from these checks we will reach a decision on your application. The decisions we can reach are:

- grant of a licence
- grant of a licence with additional licensing conditions
- refusal to grant a licence

Additional licence conditions are conditions attached to a licence where the applicant has been found to be non-compliant in non-critical areas. You will be granted a licence but will need to correct these non-compliances within a specific timescale. It will be a condition of the licence to do so. Failure to do so may result in the licence being removed.

Refusal of a Licence

If we consider that your application should be refused we will notify you. You will be given the opportunity to provide further information before our decision becomes effective. This is called a “pre-appeal”. Our letter will tell you more about this process, and the timescales to make a pre-appeal. This does not affect your right of appeal against a GLA decision to refuse you a licence. Our letter will also tell you more about the appeals process, and where you can find further information.

Appendix 2: glossary

Term	Explanation
Applicant	The person or business that applies for a licence
Application inspection	This is the inspection conducted by the GLA against the Licensing Standards
The Authority	The Gangmasters Licensing Authority
BACS	Bankers Automated Clearing Services
Branches	Defined as a local division or office of a larger business or parent company. Branches would be expected to operate in the same manner and be directly responsible to the main or head office or company. To allow a branch to operate under a larger business or parent company they must have the same Company's House number (if a company) and the same UTR and VAT number as the licensed larger business or organisation. If the branch is a separate legal entity then an individual licence will be required for that branch.
CHAPS	Clearing House Automated Payment System
Companies House Number	The number issued by Companies House when a business is registered with them
Customers	Customers who use the workers your organisation provides e.g. labour users
EEA/Non EEA Member States	This refers to European Economic Areas and Non-European Economic Area Member States. See guidance for list of countries
FPS	Faster Payments Services
Franchise	A business may have an agreement or licence to sell a company's products exclusively in a particular area or to operate a business that carries that company's name. A franchise may operate independently of other franchises although would still have a responsibility to the company or corporation granting the authorisation (who could remove the same if they so desired). Franchises will be required to hold an individual licence if the franchise has a different companies house number (if a company) or different UTR /VAT number. If these registration numbers are different the franchise will be regarded as a separate legal entity and

	therefore, require a separate GLA licence.
IBAN	International Bank Account Number
Organisation	This includes companies, sole traders and partnerships (formal or informal)
Partnership	Formal and informal business partnerships made between two or more people
PAYE Reference Number	Pay As You Earn Reference Number
Principal Authority	The individual designated as the Principal Authority will be responsible for the information contained in the application form. Principal Authority is the person responsible for the day-to-day management of the business. The Principal Authority must sign the declaration at Section H
Registered Company	This is a company registered with Companies House
Regulated Sector	These are types of employment activities covered by the Act e.g. if you supply workers to: <ul style="list-style-type: none"> • farmers for gathering crops • packhouses for packaging of food or flowers • food/fish/shellfish processing plants
Sole Trader	A person who trades as an individual
SWIFTBIC	Swift Banking International Code
Ultimately Controlled	A business or a person to whom the applicant or licensed business is responsible to and must report to for any major decisions. They may also set the strategy and high level policies for the approach that the business takes.
Unique Tax Reference Number	Your unique tax reference number can be found on any Tax Returns you have completed or Statement of Accounts
VAT Number	Value Added Tax number
Workers	People who you supply to your customers

Appendix 3: information on the country of origin of workers (questions F8)

Please use the list below to determine whether your workers are from countries that are in the EEA.

Austria, Belgium, Bulgaria, Croatia, Republic of Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Irish Republic, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Netherlands, Norway, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden, United Kingdom.

Please note:

Iceland, Liechtenstein and Norway are not members of the European Union (EU). However, the European Economic Area Agreement gives nationals of these countries the same rights to enter, live in and work in the United Kingdom as EU citizens.

From the 1 June 2002, Swiss nationals have had the same rights as EEA nationals within the United Kingdom. They can work without a work permit. Switzerland is not a member of the EEA.

Appendix 4: how to pay

Please see the guidance below which informs you of the ways in which you can pay the required GLA fees. The GLA does not accept cash or non-sterling cheques under any circumstances. We are also not able to accept card payments over the telephone.

Please note that we are unable to process your application for licence or renewal until fees have cleared in full. As cheques and bankers drafts may take up to five working days after date of deposit to clear, this may result in the processing of your application being delayed.

Payment for new licence applications must be cleared within thirty working days of receipt of the original application otherwise it will be necessary to re-apply.

Payment for licence renewals must be cleared prior to the current licence's expiry date, otherwise it will be necessary to re-apply.

Bank Account Details

Bank Name:	Barclays Bank PLC
Bank Address:	1, 2 and 3 Parliament Street, York, North Yorkshire, YO1 8XD
Account Name:	Gangmasters Licensing Authority
Sort Code:	20 99 56
Account Number:	60312924

BACS

BACS is the electronic three-day payment clearing system owned and operated by UK Banks and Building Societies. If you wish to pay by BACS you will need to contact your Bank or Building Society and advise them of the Authority's bank account details as above. All BACS payments should be made payable to the above account details, and your unique reference number (URN) should be used as the reference.

CHAPS

CHAPS is the electronic same day payment clearing system processed via the Clearing House Automated Payment System. If you wish to pay by CHAPS you will need to contact your Bank in order to arrange this. All CHAPS payments should be made payable to the account details as set out above, and your unique reference number (URN) should be used as the reference.

Faster Payments Services (FPS)

Faster Payments is a new payment clearing scheme for sterling payments in the UK (separate to BACS and CHAPS).

It allows payments to be processed and received at the beneficiaries' account on the same day. This service operates 24 hours a day, 7 days a week, 365 days a year and therefore can be used for urgent payments.

If you wish to pay by FPS you will need to contact your Bank in order to ensure that they are a member of the FPS scheme, and to arrange the payment. Please ensure that your unique reference number (URN) is quoted for the payment reference.

Sterling Cheque

Only cheques issued from UK bank accounts, with a UK account code and sort code, with the payment issued in pounds sterling are acceptable methods of cheque payment. Such cheques are classed as sterling cheques in line with UK bank clearing systems.

For payment by cheque, please make sure that the cheque is crossed and marked 'account payee'. It should be made payable to "Gangmasters Licensing Authority", and returned along with the remittance slip that will be sent to you once you have submitted this application. Please ensure that your URN is clearly identifiable on both the remittance slip and on the reverse of the cheque. Return all cheques and remittances to the address on the last page of the application form.

Bankers Draft

A Bankers Draft is a method of payment which is guaranteed by your bank and is therefore often considered as more secure than a personal cheque which may not be honoured. A bankers draft is similar to a cheque but drawn on the Bank, or Building Society itself against a cash deposit which has already been debited from the nominated payee's account. Bankers drafts should be made payable as follows, and returned to Barclays Bank at the address as shown above:

Beneficiary:	Gangmasters Licensing Authority
Account Name:	Gangmasters Licensing Authority
Sort Code:	20 99 56
Account Number:	60312924

International Credit Transfers

For payments being received from overseas bank accounts, please contact your bank and advise them of the following information, ensuring that both the IBAN and SWIFTBIC codes are quoted. The applicant will be liable for any bank charges

which may be deducted from the transfer payment, as the licence fee must be received in full prior to the application and/or renewal being processed. Your bank will be able to confirm exact details of any charges incurred. If you fail to pay the full amount your application will be rejected. The licence application fee is **non-refundable**.

Please ensure that your URN is quoted as the payment reference.

IBAN: GB23 BARC 2099 5660 3129 24
SWIFTBIC: BARCGB22

Bank Account Name: Barclays Bank PLC
Bank Address: 1, 2 and 3 Parliament Street, York, North Yorkshire, YO1 8XD
Account Name: Gangmasters Licensing Authority
Sort Code: 20 99 56
Account Number: 60312924

Appendix 5

Fit and Proper

The licence holder, Principal Authority and any person named or specified in the licence must at all times act in a fit and proper manner.

Please note

The GLA will assess all relevant factors in considering whether a licence holder acts in a fit and proper manner.

The factors the GLA will consider include, but are not limited to, whether the Principal Authority, directors or company officers (where the licence holder is a company), partners (where the licence holder is a partnership), members of the association (where the licence holder is an unincorporated association) and any person named or otherwise specified in the licence has:

- intentionally obstructed the GLA. This includes preventing an inspection being conducted without reasonable cause,
- been convicted of any criminal convictions unspent under the Rehabilitation of Offenders Act 1974. Particular consideration will be given to offences of dishonesty, fraud, violence, forced labour, human trafficking, carrying offensive weapons, fire arms offences, intimidation, blackmail or harassment,
- contravened any of the requirements and standards of other regulatory authorities, including the Department for Business, Innovation and Skills, Department for Work and Pensions, HM Revenue and Customs, Health and Safety Executive (including where the HSE issue a Prohibition Notice), UK Border Agency, Police, local authorities or other overseas authorities,
- been an owner, director or partner, or has been concerned in the ownership or management of a business that has gone into insolvency, liquidation or administration whilst the person has been connected with that organisation,
- been investigated, disciplined, censured or criticised by a regulatory or professional body, court or tribunal, whether publicly or privately in matters relating to any business with which they have been involved,
- been dismissed from, or asked to resign and resigned from, employment or from a position of trust, fiduciary appointment or similar,
- been disqualified from acting as a director or disqualified from acting in any managerial capacity,
- not been candid and truthful in all their dealings with any regulatory body and they have not demonstrated a readiness and willingness to comply with the requirements and standards of the regulatory system and with other legal,

regulatory and professional requirements and standards. This includes deliberately under declaring turnover, or

- been influenced by a third party who the GLA considers not fit and proper.

The GLA treats each case individually, taking account of the seriousness of, and circumstances surrounding the matter in question. The GLA will consider the explanation offered by the person to whom it relates, the relevance of any conviction, rehabilitation and evidence that the matter will not reoccur.

Failure against this standard may lead to a licence being revoked with immediate effect.

Provision of Accommodation

A licence holder will be considered as providing or effectively providing accommodation in all the following circumstances whether or not the accommodation is let by the licence holder or a third party:

- the accommodation is provided in connection with the worker's contract of employment; or
- a worker's continued employment is dependent upon occupying particular accommodation; or
- a worker's occupation of accommodation is dependent upon remaining in a particular job

Where the provision of accommodation by a licence holder and the worker's employment are not dependent upon each other, a licence holder may be considered to be providing accommodation in circumstances where:

- a licence holder is a worker's landlord either because they own the property or because they are subletting the property; or
- a licence holder and the landlord are part of the same group of companies trading in association;
- a licence holder's and the landlord's businesses have the same owner, or business partners, directors or shareholders in common; or
- a licence holder or an owner, business partner, shareholder or director of the licence holder's business receives a monetary payment and/or some other benefit from the third party acting as landlord to the workers.

A third party in this instance includes:

- a business and company which is a separate legal entity to the licence holder; and

- individual including those who are family members of a director, business partner, shareholder, owner or Principal Authority of the licence holder; and
- a business or company with a director, shareholder, owner or business partner who is a family member of a director, shareholder, owner, Principal Authority or business partner of the licence holder.

This interpretation will apply whenever the licence holder is providing accommodation regardless of whether the worker can choose whether or not to occupy the accommodation.

Even if the accommodation is optional, where the worker chooses to accept the offer, this interpretation will apply.