Gangmasters Licensing Authority

Performance and Insight Report

**Period Covered:
1 April 2016 to 31 December 2016**

External Publication

Contents

Glossary

NRM	National Referral Mechanism
OCGM	Organised Crime Group Mapping
PAWR	Pay and Worker Rights helpline
NBCI	New Business Compliance Inspection
CPA	Change of Principal Authority
MG3	National forms report for advice to Crown Prosecution Service

Please note that some of the data contained in this report has been taken from live systems and is therefore subject to minor fluctuations

Strategic Priorities

- Preventing worker exploitation.

- Protecting vulnerable people.

- Tackling unlicensed/criminal activity & ensuring those licensed operate within the law.

Strategic Objectives

- Through joint working, target, dismantle and disrupt serious and organised criminality including the early identification of human trafficking.

- Identify and tackle forced/bonded labour by licensed or unlicensed gangmasters.

- Maintain a credible licensing scheme creating a level playing field for the industry and promoting growth.

- In partnership tackle those who engage in tax evasion, health and safety negligence, fraud, breach of regulations.

- Provide effective and meaningful engagement with key partners, stakeholders and sponsors.

- To work with the regulated sector to enable them to recognise and address issues of noncompliance before the GLA is forced to intervene.

1. Business Plan Targets

Delivery Plan Targets 2016-19

❖ Develop closer relationships with the supply chain (including but not restricted to retailers, labour users and labour providers) relating to addressing the identification of workers unpaid holiday pay, breaches of national minimum wage and enforcement of breaches of employment standards/statutory employment rights.

❖ Increase by 20% the assistance given to labour users/providers in the co-identification of and dealing with potential worker exploitation prior to formal regulatory engagement.

❖ Increase by 10% the number of actual and potential victims of labour exploitation identified, and given support to remove them from danger/raise awareness of their rights by regulatory action.

❖ Monitor and review the level of identified criminal profits from GLA and joint investigations, for consideration of seizure of proceeds of crime through unlawful activity within the sector.

❖ Increase by 10% actual and potential victims of labour exploitation identified and supported and referral of victims of human trafficking or modern slavery made by the GLA or with the assistance of GLA to the UKHTC.

❖ Monitor and maintain the number of referrals concerning the identification and activity of OCGs to law enforcement ROCUs.

❖ To develop closer working relationships with HMRC,EAS, HSE, NCA, Local Authorities and law enforcement agencies through increasing by 20% the number of joint operations year on year.

❖ Monitor and maintain the satisfaction of licence holders with the service provided by the GLA at 86%.

❖ Monitor and maintain the perception amongst all key stakeholders that the GLA is doing a good or very good job at 93%.

Within year 2016-17

- ❖ To ensure the smooth transition of the GLA into the Gangmasters and Labour Abuse Authority in accordance with the Immigration Act 2016, relevant to budget allocation.

- ❖ To support the Director of Labour Market Enforcement when appointed in setting up a national profile of the scale and extent of labour market exploitation

- ❖ To support the Director of Labour Market Enforcement's strategy formulation for 2017/18

- ❖ To identify, prevent and disrupt labour exploitation across the economy with initial focus on those working in high risk sectors.

- ❖ Maintain the delivery of the GLA's in year strategic aim, priorities and objectives through increased protection and prevention from labour exploitation, improved prosecutions and civil action again rogue business; delivery of relevant aspects of the Modern Slavery Strategy, UN Sustainable Development Goal 8.7, UN Guiding Principles on Business and Human Rights.

2. Intelligence and Information Sharing

Key Points:

- Intelligence reports created remain low compared to previous year's average at this point. Changes in recording practices account for a significant portion of the reduction. Intelligence disseminated to and from partner agencies remains strong
- Actionable intelligence accounts for 23% of all new submissions during the reporting period
- Police and HMRC remain the most significant source and receiver of intelligence material. Labour providers are consistent contributors
- Tier 1 interventions recovered over £50,000 for workers in the year to date.

Intelligence Reports Created 2016/17
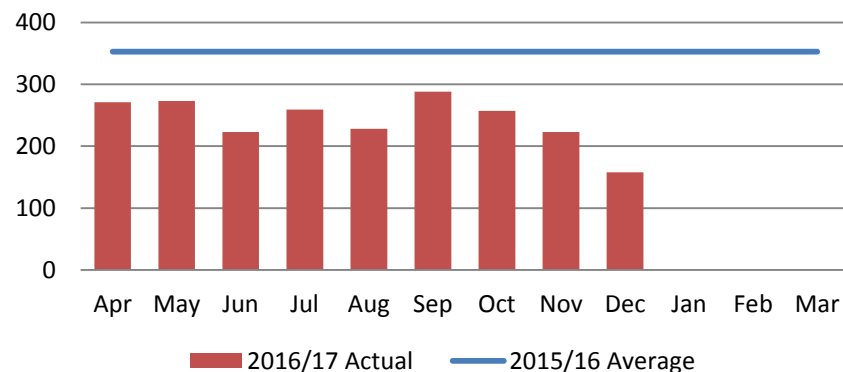
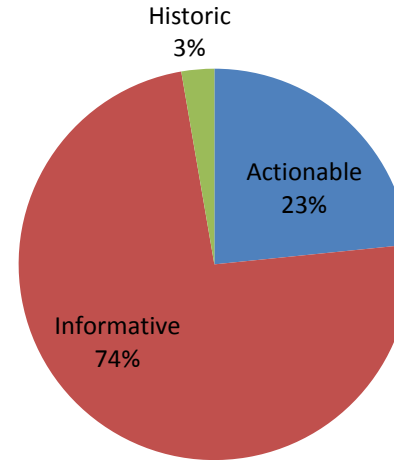Intelligence Reports Created - All Sources 2016/17
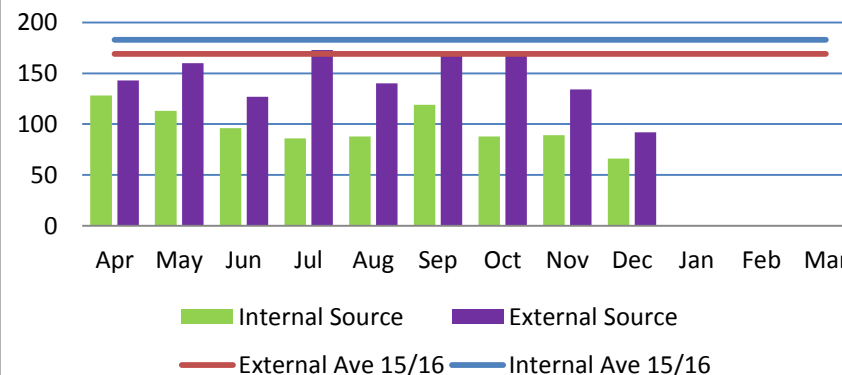
Explanatory Notes:

- Intelligence 'reports' are individual information 'logs' created on the GLA Intelligence database. The information can relate to any aspect of licensing, compliance or enforcement activity and may contain a single strand or a combination of information that is either **Informative**, **Actionable** or **Historic**.
- Intelligence reports are generated in response to a variety of cirumstances which include information received from external sources (e.g victims, industry sources or partner agencies) and also Internal sources that includes Licensing, Enforcement Officers and Intelligence Unit personnel, This information can be derived from a range of activity
- Intelligence reports or 'logs' are disseminated to and from partner agencies either as a proactive/dynamic response to events or to inform potential regulatory/compliance activity by that agency; or as part of joint operational activity.
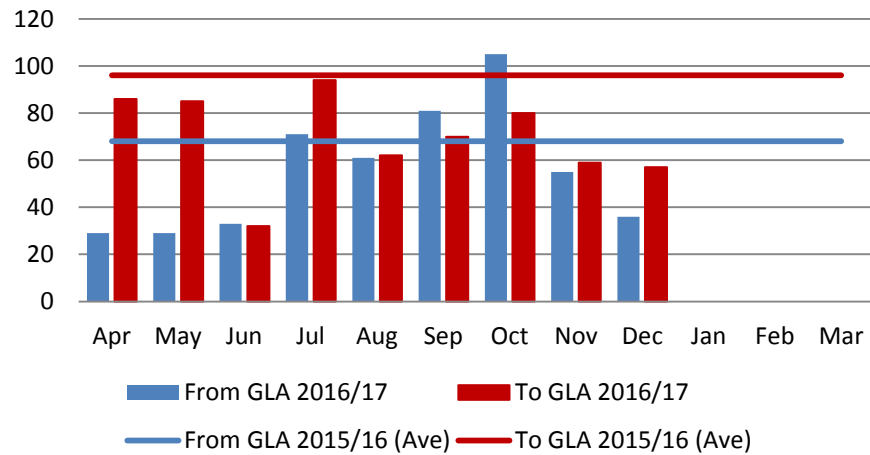
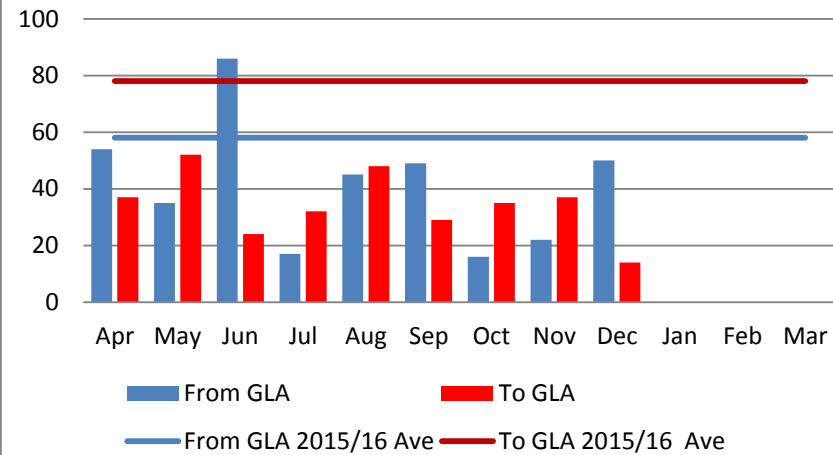## Intelligence Created Industry Source 2016/17

Legend: Labour Provider, Labour User, Industry General
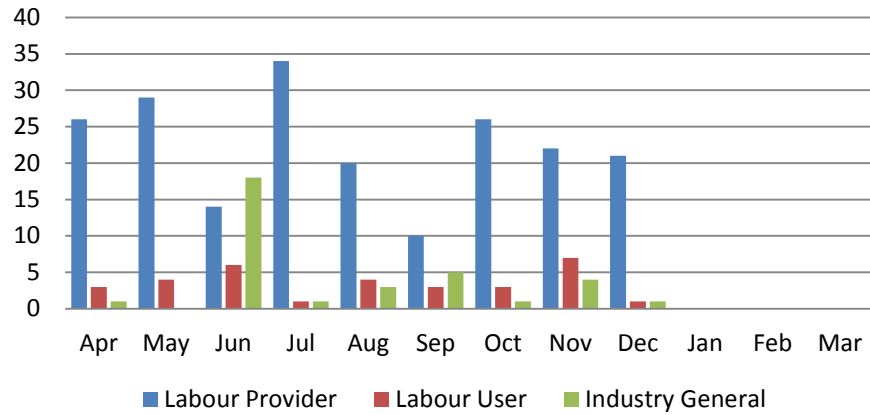
Intelligence Value 2016/17

Historic 3%
Actionable 23%
Informative 74%

Intelligence Disseminated to and from Partner Agencies

Legend: From GLA 2016/17, To GLA 2016/17, From GLA 2015/16 (Ave), To GLA 2015/16 (Ave)

Requests for Information to & from Partner Agencies 2016/17

Legend: From GLA, To GLA, From GLA 2015/16 Ave, To GLA 2015/16 Ave

3. Tasking Process

Key Points:
- AI's – fewer AI's tasked than in the same period 15/16. However, numbers consistent with previous 2 years at this point
- CI's – currently significantly below the number of the corresponding period last year
- Enforcement cases – currently significantly below the number of the corresponding period last year
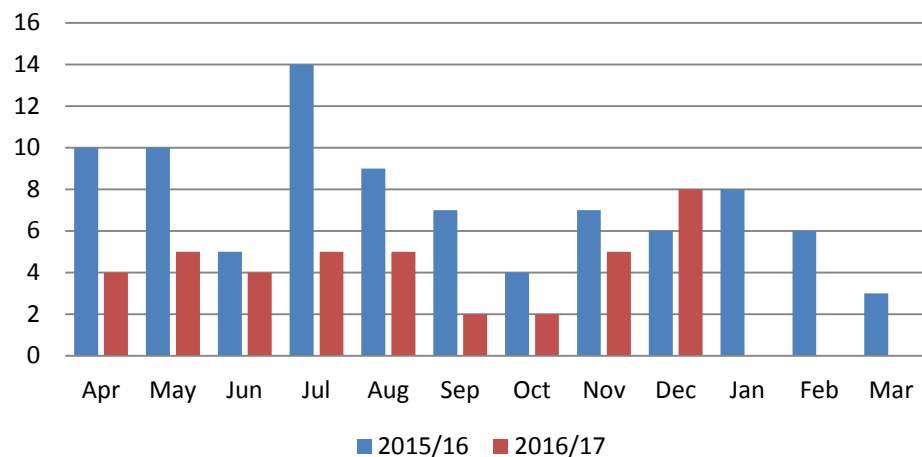
Application Inspections 2016/17

Legend: 2015/16, 2016/17
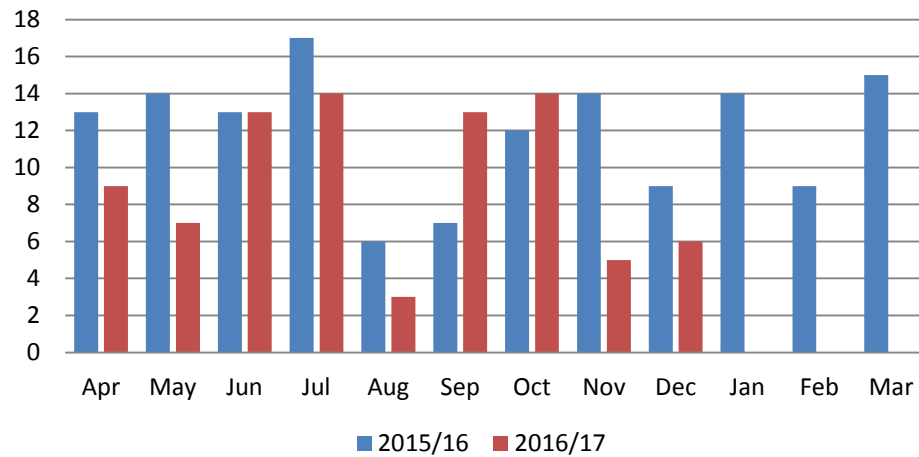
Compliance Inspections 2016/17

Legend: 2015/16, 2016/17
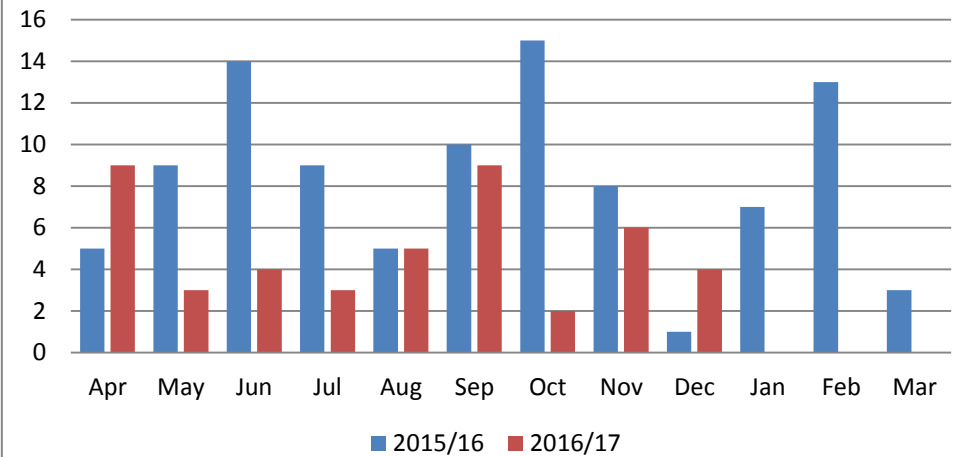
Explanatory Notes:
This section deals with the output from the intelligence analysis. All inspection activity is determined according to the intelligence case.
- Application Inspections always attract a high priority so as to minimise the impact and burden on the business. Compliance and Enforcement activity is prioritised following an assessment of the intelligence case.
- Tier 1 interventions are cases where the Intelligence Unit or Licensing Team have made a direct approach to the labour provider to resolve an issue informally without the need for formal regulatory intervention or the deployment of inspection resources.
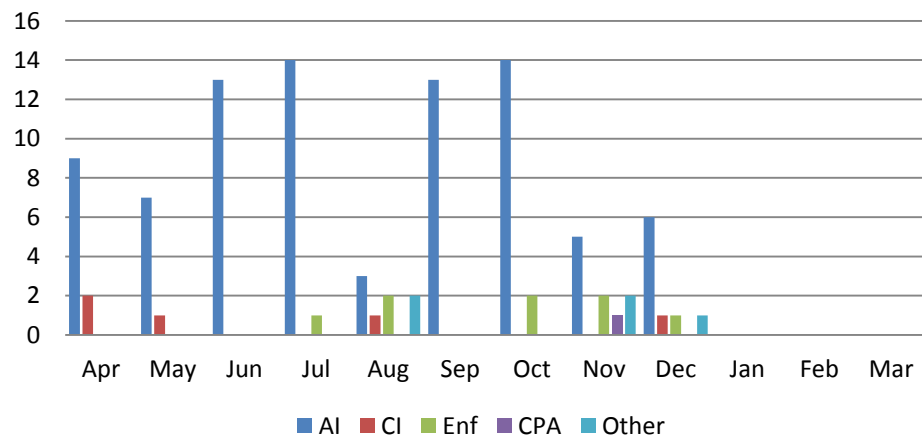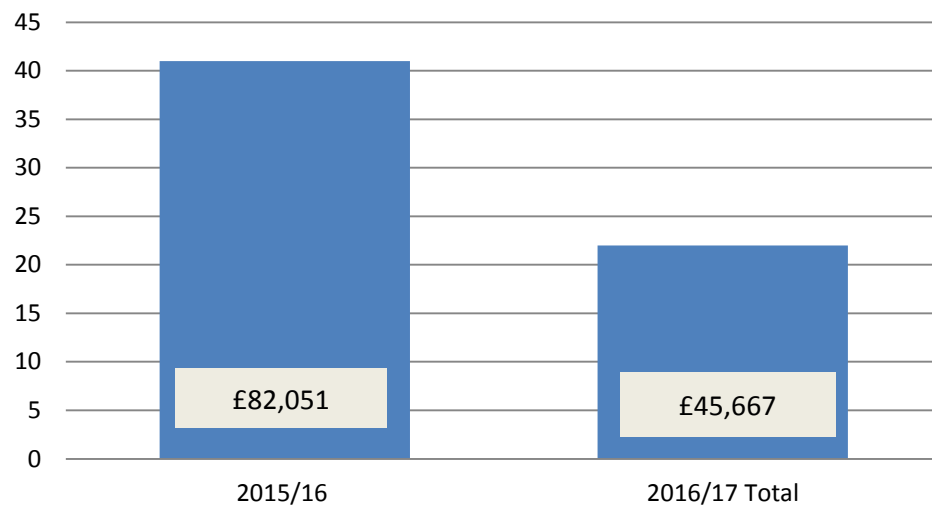
Enforcement Cases (Unlicensed)

Legend: 2015/16, 2016/17

Tasking by Priority 2016/17

Legend: High, Medium, Low
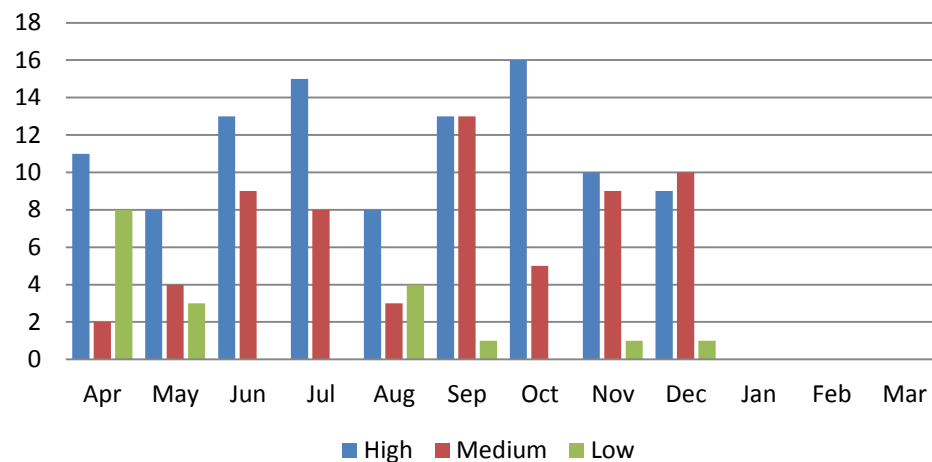
High Priority taskings by Category 2016/17

Legend: AI, CI, Enf, CPA, Other

Tier 1 Interventions


2015/16: £82,051
2016/17 Total: £45,667

4. Licensing Process

Key Points:
- The number of Licence applications initiated is 28% lower overall on the corresponding period in the previous year. However, the previous year saw an unusual spike at this point which was not replicated in earlier similar reporting periods. Brexit uncertainties may also be influencing potential overseas applicants
- Appeals are fewer in the year to date compared to previous reporting periods
- Licence revocations exceed the total for the previous year and there has also been a greater use of ALC's at this point

Licence Applications Initiated 2016/17
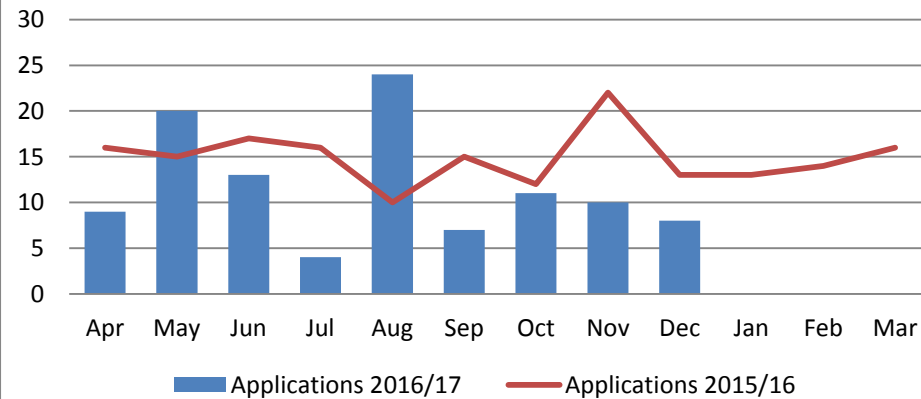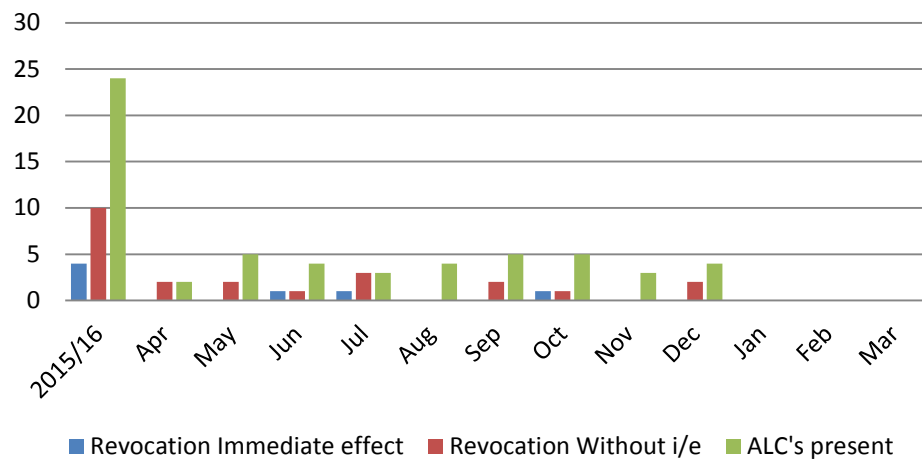

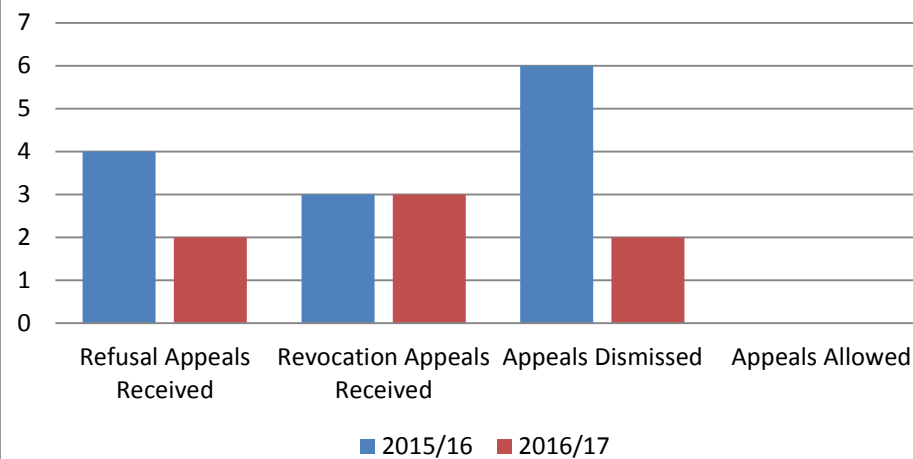Licence Application Decision 2016/17
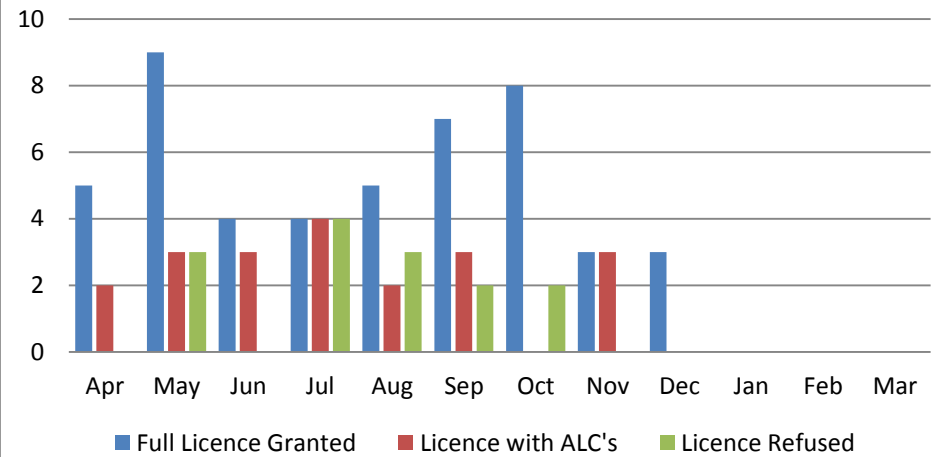
Explanatory Notes:
This section deals with the initial licence appplication and subsequent decision process following inspection activity.
- Licence Applications Initiated is where an initial application for a licence has been submitted – however at that stage payment may not have been made or funds cleared.
- Licence decisions relate to either an 'Application' for a licence, or following a 'Compliance' inspection which is invariably intelligence lead.
- Licence 'Standards Breached' – are the standards accepted by the Licensing Officer as having been breached and on which the licence decision is made. Such decisions are based on the basis of case 'proven' on the balance of probabilities – not on on the basis of the initial allegation.
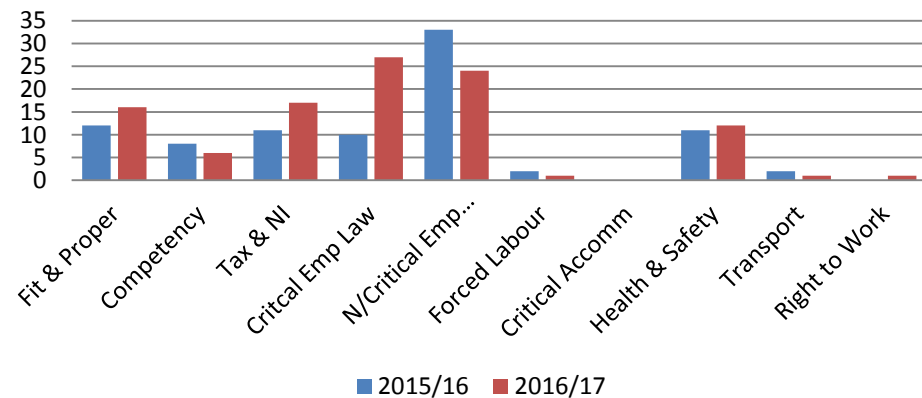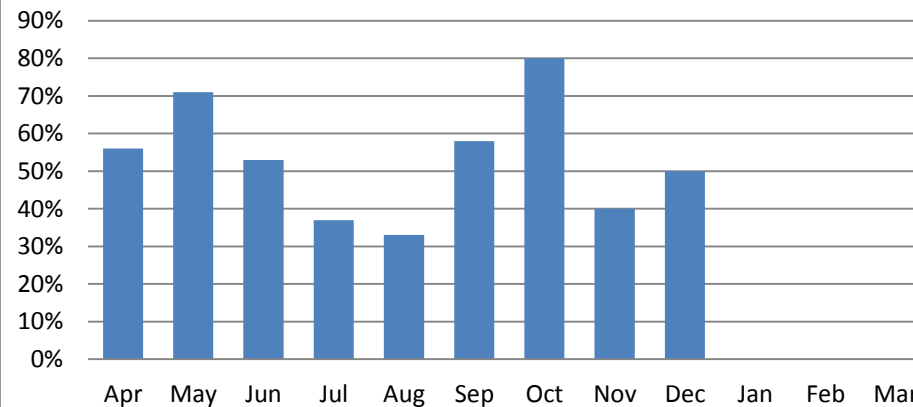
Licensing Decision - Compliance

Legend: Revocation Immediate effect, Revocation Without i/e, ALC's present

Licensing Case Appeals - Rolling Total

Categories: Refusal Appeals Received, Revocation Appeals Received, Appeals Dismissed, Appeals Allowed

Legend: 2015/16, 2016/17

Licensing Compliance Standards Breaches

Categories: Fit & Proper, Competency, Tax & NI, Critcal Emp Law, N/Critcal Emp..., Forced Labour, Critical Accomm, Health & Safety, Transport, Right to Work

Legend: 2015/16, 2016/17

% of OGD Checks completed within 10 working days

Months: Apr, May, Jun, Jul, Aug, Sep, Oct, Nov, Dec, Jan, Feb, Mar

5.   Inspection & Enforcement

Key Points:
- The discovery of unlicensed trading will cause the suspension of the AI process in most cases and may therefore adversely affect completion times in those cases
- Timeliness for the completion times for CI's Improved marginally during the last quarter. Some delays are attributable to suspension due to the identification of unlicensed trading prior to or during the inspection process
- 5 Enforcement cases are currently with the CPS for a charging decision and 5 convictions (S12) were recorded in the year to date

AI - Inspection Timeliness - days to Completion
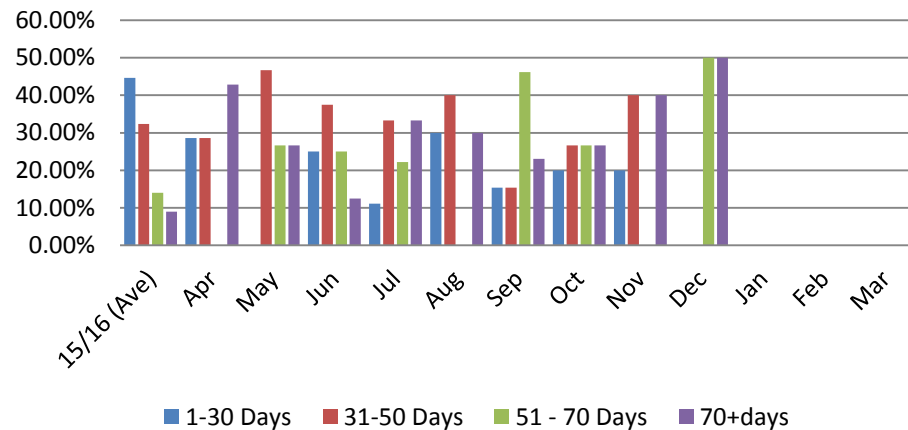

CI - Inspection Timeliness - Days to Completion
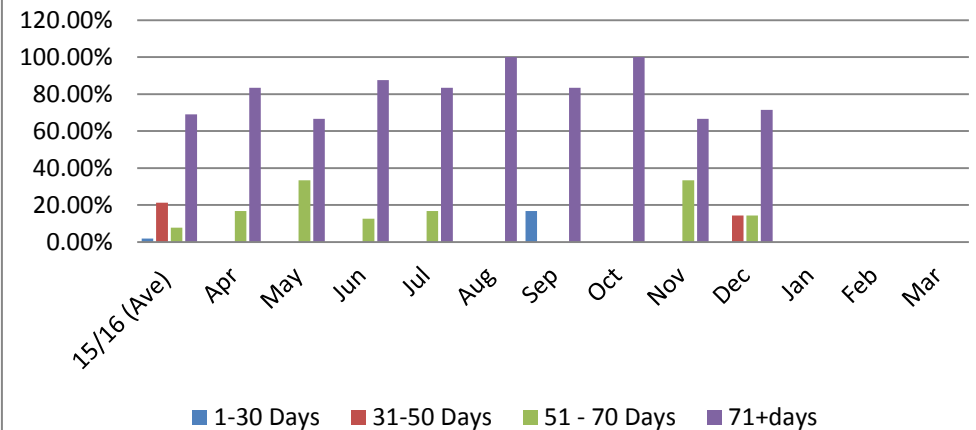
Explanatory Notes:
- Timeliness of inspections can vary for many reasons and delays may occur during the inspection or licensing decision phase or possibly both.
- Completion times are calculated from the date of 'tasking' to the date the licence decision is made.
- An 'Enforcement Notice' is a document given to a labour provider where ongoing unlicensed supply has been discovered. It is an advisory notice warning the offender of the possible consequences should they continue trading without a licence whilst a decision is made as to prosecution.
- A 'Warning Letter' is issued to a labour provider or labour user where sufficient evidence has been found to prove an offence to the criminal standard but a decision has been made that it is not in the public interest to pursue a prosecution through the courts.
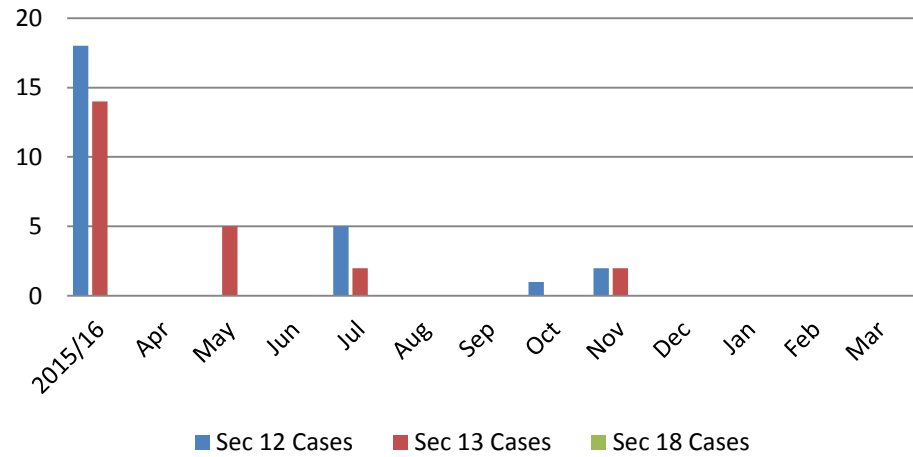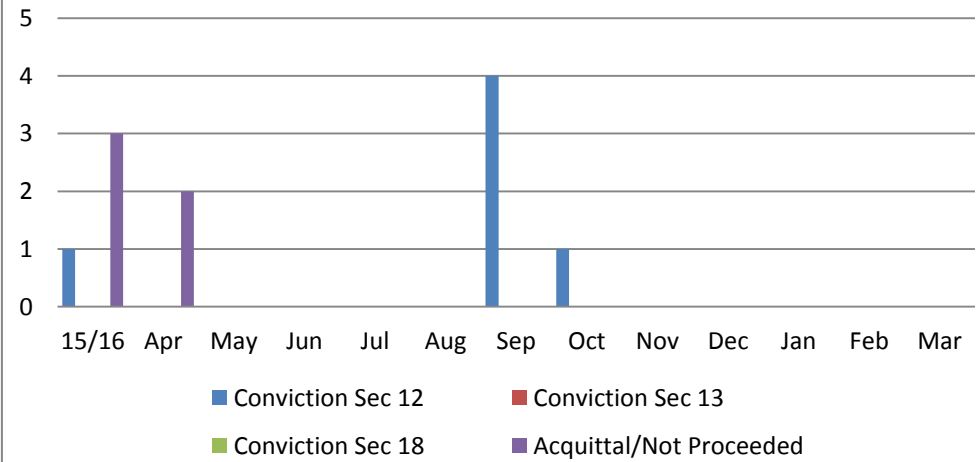
Criminal Cases in Progress
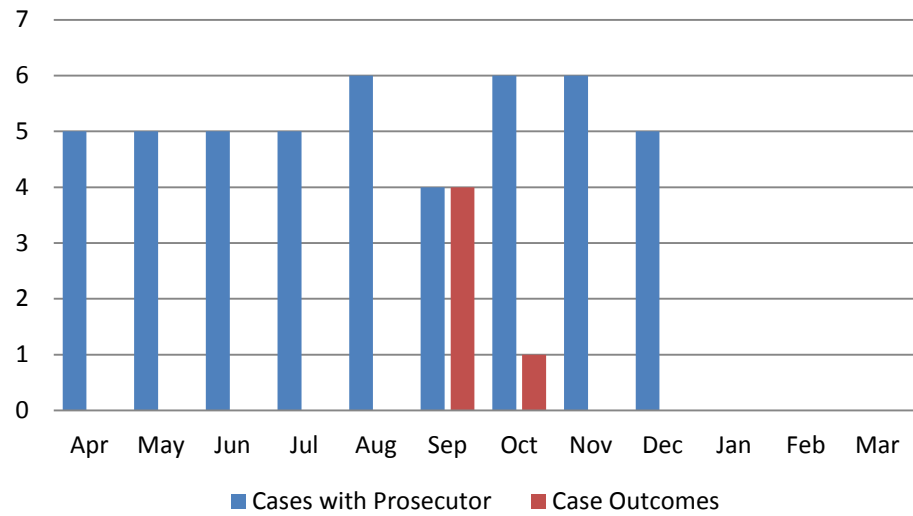
Warning Letters Issued
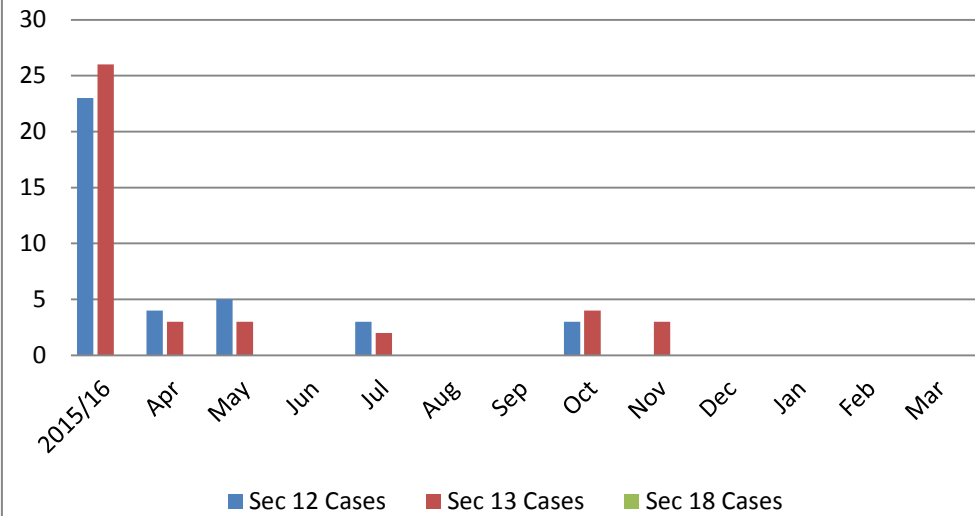
Enforcement Notices Issued

Criminal Case Outcomes

## 6.   HR & Finance

Key Points:
- Expenditure is currently within projected tolerance levels

7.   GLA Website

Key Points:

- New GLA Website provider from January 2016.
- Session - a period of time a user is actively engaged with the website
- Page view - The number of pages viewed - repeat views of a single page are counted
- Users - users that have had at least one session within the selected period - both new and returning

Website Sessions

2016/17

Page Views

2016/17

Users

Top 10 countries accessing April - Dec 2016
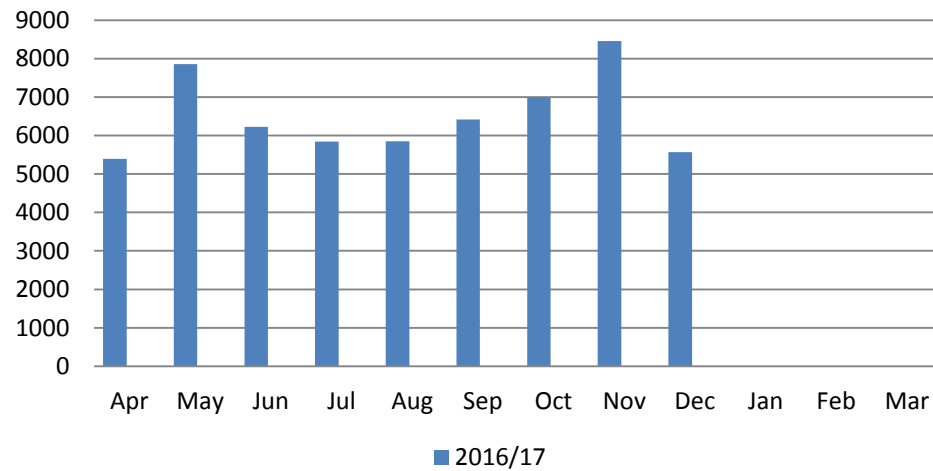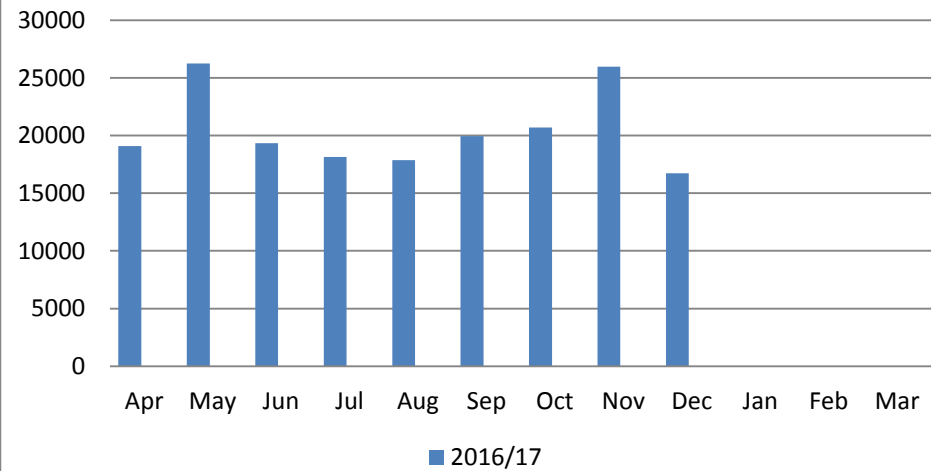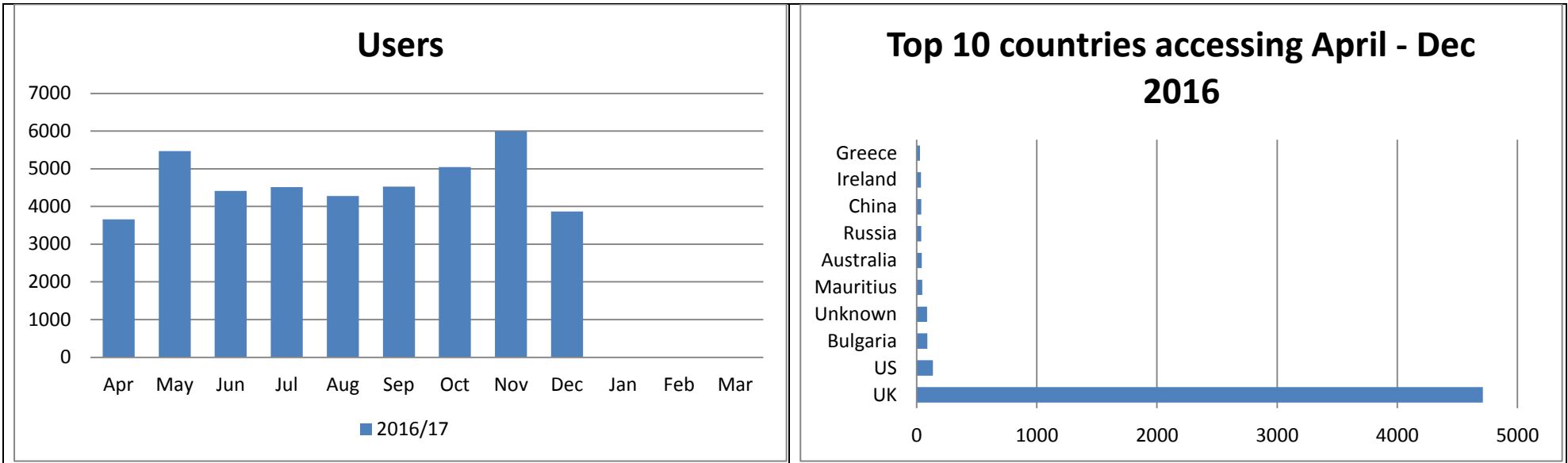
Due to a change in Website provider from 01/01/2016, no prior recorded comparable data is available