



Gangmasters
Licensing Authority

GLA53/14a Stakeholder Engagement

26 April 2017

Board Paper Reference – GLA53/14 Stakeholder Engagement

1. Purpose of the Report

1.1 To update the board on the work of the liaison groups.

2. Recommendation

2.1 The Board is invited to note the minutes of the Joint LU/LP Liaison and Worker/NGO Liaison Groups held on 2 March 2017.

Draft Minutes

Title of meeting	Joint LU/LP Liaison and Worker/NGO Liaison Groups		
Date	02 March 2017	Time	11.30
Venue	GLA, Nottingham		
Chair	Margaret Beels (MB) Linda Dickens (LD)	Secretary	Angela Tilley
Attendees	LU/LP Jon Tugwell (JT) Fyffes Shayne Tyler (ST) Manor Fresh Cathy Lafferty (CL) 2 Sisters Food Group Julie Giles (JG) The Staffing Group Lorna Bramwell (LB)The Staffing Group Lee Osbourn (LO) NFU John Hardman (JH) HOPSLS Jonathan Mason (JM) AG Thames Sian Thomas (STH) Fresh Produce Consortium Jerry Camp (JC) HR Alliance Terry Waite (TW) Vital Recruitment Sue Johns (SW) Butters Tom Easson (TE) Ringlink Scotland John Devine (JD)Response Recruitment Kevin McCormick (KM) KHS Personnel Ltd Jane Bladon(JB) Staffline David Segust (DS)First Call Contract Services David Camp (DC) ALP Philip Campbell (PC) REC Richard Fletcher (RF) Freshtime Rob Orme (RO) Concordia Stephanie Maurel (SM) Concordia Nicola Hope (NH) REC Matthew Dunston (MD) Cordant Group Fergus Morgan (FM) 2SFG		

Worker/NGO Liaison Group

Diana Holland (DH) Unite
David Dickens (DD) Fishermen’s Mission
Lucila Granda (LG) Latin American Women’s Rights
Matthew Creagh (MC) TUC
David Carrigan (DC) Citizens Advice
Caroline Robinson (CR) FLEX
Barbara Drozdowicz (BD) EEAC
Andrew Wallis (AW) Unseen

GLA

Margaret Beels (MB)
Linda Dickens (LD)
Paul Broadbent (PB)
Nicola Ray (NR)
Ian Waterfield (IW)
Neil Court (NC)
Darryl Dixon (DD)

Apologies

LP/LU Liaison Group

Wendy Woolf (WW) Lincs FP
Sharon Cross (SC) GS Marketing
Colin Hall (CH) BTF Partnership
Jackie Newman(JN) PD Hook
Melville Miles (MM) Freshtime
Joanne Young (JY) Gi Group

Worker/NGO Liaison Group

Andrew Wileman (AW)Salvation Army
David Gill (DG) USDAW
Natalie Yelton (NY) Citizens Advice
Barckley Sumner (BC) UCATT
Steve Kemp (SK) GMB
Yvonne Hall (YH) Palm Cove Society
Bridget Henderson (BH) Unite
James Tullett (JT) Migrant Help
John Powell (JP) Migrant Help

1.	Welcome and introductions Margaret Beels welcomed attendees from the LU/LP Liaison Group and Worker/NGO Liaison Group to their first joint meeting. Attendees introduced themselves.
1a.	Apologies See above

<p>2.</p>	<p>Minutes of the previous meetings</p> <p>Minutes of the meeting from LU/LP Liaison Group held on 23 November 2016 were agreed.</p> <p>Minutes of the meeting from the Worker/NGO Liaison Group held on 1 November 2016 were agreed.</p>
<p>3a.</p>	<p>Review of outstanding actions from previous minutes</p> <p>LP/LU Liaison Group. – (MB)</p> <p>MH to circulate details of forthcoming University of Derby training courses to the group – CLOSED</p> <p>NC to review LU Best Practice guidance and to incorporate move to GLAA with a draft to be circulated to the group before the next meeting. – NC advised that work was still progressing and it was hoped the document would be published to coincide with the change to GLAA. He hoped that a draft document would be available at the next meeting. – IN PROGRESS</p> <p>Secretariat to circulate link to website re statement on no change to legislation post Brexit – CLOSED</p> <p>Any members with contributions to Matthew Taylor review to be forwarded to PB – ONGOING</p> <p>DD to investigate Romanian Labour Inspectorate’s requirements re LU agreements – DD advised he was still looking into this but acknowledged the concerns surrounding this issue. He also advised that a member of the Romanian Inspectorate would be joining the GLA this month. It was hoped that this would enable progression of this issue. – IN PROGRESS</p> <p>Secretariat to circulate link to all for evidence re Select Committee on BEIS. – CLOSED</p> <p>PB to investigate circumstances of Fisheries Union case mentioned at meeting – PB advised case had been dealt with – CLOSED</p> <p>DD to investigate bankruptcy effect on workers’ wages – It was acknowledged that a change in legislation would be required to move workers further up the listed creditors. The question was how to influence the government to change primary legislation. It was mentioned that this had been raised in the Employment Agencies Act 1973 but this had not yet been actioned. - IN PROGRESS</p> <p>STH to compile examples of third party packing – ON AGENDA</p>

<p>3b.</p>	<p>Worker /NGO Liaison Group – (LD)</p> <p>PB to provide details to DG for inclusion in USDAW magazine re GLAA publicising what it does and how information can be passed to the GLAA. PF in discussions with DG regarding this. – Item to be discussed under item 9 of the agenda.</p> <p>Update on GLA-GLAA transition. A transition page is currently being developed on the website which will include details of new powers under the GLAA. A GLA brief was also recently circulated regarding powers that are currently in force. – IN PROGRESS</p>
	<p>PB to circulate a sanitized version of the draft threat assessment to members of the group. – ON AGENDA</p> <p>JR to arrange for LP/LU and Worker/NGO liaison groups to meet in Nottingham – COMPLETED</p> <p>JR to arrange for both groups to meet in Nottingham to discuss common themes – COMPLETED</p> <p>JR to circulate the link to the BEIS website to the Select Committee review regarding rights of workers – COMPLETED</p> <p>PB to share the GLAA stakeholder communications plan with the group for comment. – on agenda</p> <p>AW updated the groups on the statistics obtained for the Modern Slavery Helpline. AW agreed to forward the statistics for distribution to the groups.</p> <p>ACTION POINT 1: Modern Slavery Helpline statistics to be circulated - AW</p>
<p>4.</p>	<p>Director of Labour Market Enforcement Strategy (MB)</p> <p>MB confirmed Professor Sir David Metcalf’s appointment as Director of Labour Market Enforcement on 5 January 2017. He had previously chaired the Migration Advisory Committee and had been a founding member of the Low Pay Commission. He had also supported the work of the GLA prior to his appointment. He has already met with stakeholders and will also attend the Board meeting to be held in April. Currently he is working on producing the strategic priorities which will be presented later in the year. The initial plan should be available by April.</p>

<p>5.</p>	<p>Update from the CEO (PB)</p> <p>a) CEO's Quarterly report was circulated before the meeting.</p> <p>b) Update from Prime Minister's Taskforce</p> <p>No firm date has yet been decided for the transition to GLAA but the 8 May 2017 would be the preferred date for the transition to go live.</p> <p>Where the GLAA has jurisdiction we would be working with our partner agencies EAS, NMW and HMRC. To facilitate the expected increase in workloads the GLAA has been given extra funding to increase staffing from 70 to 120. The GLAA would be able to investigate the full spectrum of labour exploitation from withholding holiday pay right through to human trafficking.</p>
<p>6.</p>	<p>Performance and Insight Report (IW)</p> <p>The performance and insight report had been circulated prior to the meeting. IW advised that in future the report would be presented in a more narrative format which would give a more informative perspective.</p>

<p>7.</p>	<p>Compliance Inspection Levels (NC)</p> <p>Currently there are 976 licence holders, 65 compliance cases and 22 applications.</p> <p>Compliance issues identified continue to be around the following:</p> <ul style="list-style-type: none"> • Workers not being paid holiday pay or paid incorrect holiday pay. • The investigation of umbrella companies which were difficult and complex • The issues around modern slavery of bonded labour, threatening behaviour and document confiscations from workers. • Sub-standard accommodation provided and workers being exploited by landlords. • A lack of accountable management in sub-contracting working. <p>Accompanied visit were scheduled for GLA staff with NMW looking at car washes.</p> <p>Lunch Break</p> <p>Following the lunch break a video which focused on exploitation of workers in the construction industry was screened. The video highlighted how easy it was for workers to be enslaved. It was produced under the 'Stronger Together' initiative with the assistance of the Chartered Institute of Builders and presented by DC of the Association of Labour Providers.</p> <p>ACTION POINT 2 - Link to video to be made available on GLA website – DC/PF</p>
<p>8.</p>	<p>GLA to GLAA transition (MB)</p> <p>The additional powers which would come into force with the transition to the GLAA had previously been covered. There were technology implications in respect of the move away from Defra to the Home Office and these are currently being progressed. A new licensing system is also in the development stages with potential suppliers at the present time. There will also be an increase in staffing levels across the workforce to ensure that the expected additional work can be dealt with. It was recognised that we need to grow the culture to match the new organisation.</p>

8a. Worker User Research

Adam Spoke (AS), Researcher, attended the meeting to give an overview of the work he is currently engaged on for the GLA. He has done research into ensuring compliance with the Government Digital Service (GDS) and how it works. (GDS is part of the Cabinet Office and has oversight of all new public facing IT systems.) AS had already previously engaged with labour providers, labour users and workers to see what their requirements would be. The website change of address of www.glaa.gov.uk had not been endorsed by GDS and other options were being looked at. He mentioned he had also sent out a further survey recently asking what digital services should be available.

In response to a question it was confirmed that there are no present plans to have a GLAA app available.

9. GLAA Communications and Engagement Strategy (PB)

The Communications and Engagement Strategy document had been circulated prior to the meeting.

The purpose of the strategy is to ensure that all GLA staff, stakeholders and the public are made aware of the GLAA, its roles and responsibilities, and to ensure information is communicated internally and externally in an open and transparent manner.

Some of the key target audiences mentioned for communication were existing GLAA licence holders and stakeholders, new and emerging high risk sectors and responsible businesses. It will be through communication and engagement with these groups that the profile of the GLAA and how it operates will be assimilated.

There will be proactive involvement in all media platforms both internally and externally.

The GLA is looking to work with a TV company but it has to be the right one and could possibly be a drama based on actual case studies.

It was mentioned that it could be useful to have information regarding the GLA on radio stations as workers very often would be listening to radio stations at their places of work. It was agreed that this could possibly be looked at as a further additional way to signpost the GLAA and other agencies to workers.

Mention was made that Greater Manchester had set up a multi stakeholder collaborative initiative which was the Modern Slavery hub. It was agreed it could be a model to perhaps be used in other larger cities.

ACTION POINT 3: PB to look at sharing information more widely

10. Threat Assessment (PB/IW)

The confidential threat assessment document had been circulated prior to the meeting.

An overview was given of how the GLA had evolved from 2004 to the present day with the granting of the Immigration Act 2016 leading to the increased powers available under the GLAA.

Proper risk assessments would be undertaken when looking at offences and action taken would be based on resources available

Operations would continue to be Intelligence-led, and would not be based on random checks. There would be the appointment of a Joint Slavery Trafficking Centre Analyst who would look at patterns and trends to identify the higher risk sectors and seasonal times of year when there could be more risk for exploitation.

Key Findings of the UK picture of exploitation were discussed. Areas of most prevalence and concern are agriculture, car washes, construction, nail bars, restaurants, takeaways and traveller communities. Other sectors of note would also include, for instance, care homes, buildings sites, factory work.

The strategy for dealing with human trafficking is based on four principles:

Pursue – prosecuting and disrupting individuals and groups responsible for modern slavery.

Prevent – preventing people from engaging and being a victim of modern slavery.

Protect – Strengthening safeguards against modern slavery by protecting vulnerable people.

Prepare – reducing the harm caused by modern slavery through improved victim identification and enhanced support and protection.

A question was asked as to whether there was to be the potential to extend the GLA licensing to include some of those previously mentioned?

PB responded by saying there would have to be evidence presented as to why any other sectors should be regulated before consideration would be given to include them in the regulated sectors.

PB was asked which areas the GLA/GLAA and partner agencies had jurisdiction in. He confirmed the following:

GLAA officers will continue to enforce the Gangmasters (Licensing) Act 2004 (GLA Act) throughout England, Scotland, Northern Ireland and Wales. The Immigration Act has empowered certain, accredited, GLAA officers to investigate offences under the GLA Act, The Employment Agencies Act, the National Minimum Wage Act and the Modern Slavery Act in England and Wales. When doing so those officers will have 'police like' powers under the Police and Criminal Evidence Act.

He explained that the GLA has an excellent working relationship with the Workplace Relations Commission which operates in Ireland and they tackle issues in a similar way as to how they are tackled in the UK.

He then gave examples of labour market exploitation models. These included:

Chancers – persons who will seize the opportunity to exploit after initially offering employment.

The Employer – with an example being given of the textile industry in Leicester.

The intermediary – individuals who would be the first point of contact for the workers and would take control of documents, bank accounts etc.

Organised criminals – who controlled the intermediaries.

IW explained that in future the GLAA would be looking outside the GLAA regulated sectors and would be reviewing information as it comes in and updating the threat assessment every 6 months. The information gathered would also assist in the future funding of the GLAA as well as identifying high risk areas.

It was commented on that the document was a very good report giving a picture across the UK as far as existing data allowed. Limitations in the data were acknowledged and the need to treat findings with care was emphasised. It was stressed that no part of the document was to be reproduced by anyone.

It was noted that the TUC was not mentioned in Section 4 of the document and DH agreed to provide some wording for future inclusion.

ACTION POINT 4: DH to provide wording.

<p>11.</p>	<p>Licensing Standards Review (NR)</p> <p>These were still under review with the Home Office (HO) but due to limited resources at the HO to support the review it was likely it would not be completed until next year. If anyone had any comments about the licensing standards they could email Nicola Ray.</p> <p>ACTION POINT 5: Any comments regarding the Licensing Standards review to be sent to nicola.ray@gla.gsi.gov.uk - All</p>
<p>12.</p>	<p>Update on FPC consultation on developing guidance on provision of caravan accommodation for temporary workers in the UK. (STH)</p> <p>STH advised that a consultation with a review group had taken place to seek views on this topic. The aim was to produce an ethical trading initiative document for circulation.</p> <p>The document was close to completion but as it would be a living document any further relevant information should still be submitted and shared. A formal consultation would be undertaken in September 2017 to discuss how the document could be utilised. STH agreed to provide a copy of the document at the end of the month for circulation.</p> <p>ACTION POINT 6: STC to provide document by end of month for circulation.</p>

13.	<p>Any Other Business</p> <p>a. Ideas for National Conference (ALL)</p> <p>It was mentioned that any ideas for the National Conference on 11 October 2017 would be welcomed. The conference will have a number of keynote speakers and four workshops and will take place at the Edgbaston cricket ground, Birmingham.</p> <p>b. Third Party Packaging (NR)</p> <p>The issue of third party packaging was still under review. Guidance would be issued when the review had been completed.</p> <p>It was mentioned it may be possible that a pilot scheme could be run which would look at reducing the burden on third party packagers whilst ensuring they remained compliant. If anyone had any questions regarding third party packaging they should be directed to licensing@gla.gsi.gov.uk.</p> <p>c. Future Meeting of LP/LU Liaison and NGO Workers Groups</p> <p>It was agreed that the meeting had been mutually beneficial for all attendees, and it would be of benefit to hold an annual meeting of the two groups in the future. It was also agreed that the minutes of each group's meetings should be circulated to the other group.</p> <p><u>Date of next Worker/NGO Liaison Group Meeting - 09 May 2017</u></p> <p><u>Date of next LP/LU Liaison Group Meeting - 18 May 2017</u></p> <p>ACTION POINT 7: JR TO ARRANGE A JOINT MEETING IN MARCH 2018</p>
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