



Gangmasters & Labour Abuse Authority

Gangmasters and Labour Abuse Authority - Inspections Explained

Introduction

The Gangmasters and Labour Abuse Authority (GLAA) inspections check compliance with the Authority's Licensing Standards. Inspections may be conducted with applicants or existing licence holders to test whether a person is fit to hold a licence. Further information on the powers of the GLAA can be found in the Code of Practice on Compliance and Enforcement. GLAA investigating officers will carry copies to issue, and it can be downloaded from www.gla.gov.uk.

What you can expect

- Inspections may be pre-arranged or unannounced.
- The GLAA investigating officer will show their identity card at the start of an inspection this can be checked by contacting the GLAA on 0345 602 5020.
- The GLAA investigating officer will usually visit the applicant or licence holder's business premises.
- The Principal Authority (PA) of the business must be available for interview. It may be taken as obstruction if the PA is not available without a reasonable explanation.
- The applicant or licence holder may be asked to give details of contracts with clients. The inspection may include visiting clients to check the place of work and how workers undertake their activities – this may also involve interviewing the client.
- The GLAA investigating officer may select a sample of workers to be interviewed, possibly at your client's premises (with a GLAA arranged interpreter if necessary). Dependant on the size of the sample of interviews, and other records that need to be examined, more than one investigating officer may attend. The investigating officer will minimise any disruption to you and client's activities.
- Relevant documents covered by the Standards (including contracts with workers and clients, records of paying wages etc) will be examined.
- The GLAA investigating officer may require you to produce specific documents and take them away for review. GLAA investigating officers may photocopy the requested documents if a copy rather than the original is sufficient for their inspection. A receipt will be provided for all documents taken and the officer will return them as soon as possible. However, refusing to produce requested documents without reasonable cause may be considered to be obstruction. In such situations an explanation for any

refusal will be sought. Obstruction is a criminal offence under Section 18 of the Gangmasters (Licensing) Act 2004 and is a breach of Licensing Standard 1.1.

- If the GLAA investigating officer takes documents away to consider, another visit may be arranged to clarify any issues identified and to give the PA the opportunity to provide any further explanation.
- The GLAA investigating officer may also write requesting information, either before or after their visit. The investigating officer will give clear deadlines on when a response is required by.
- Any areas of potential non-compliance will be presented by the GLAA investigating officer to the PA during the inspection or summarised at the end. This gives an opportunity for the PA to provide an explanation for the identified issues.
- The GLAA investigating officer will explain what happens next once the inspection has been completed.

After an inspection

The GLAA investigating officer will never make a decision at the end of the inspection. Only if there was an immediate and specific threat to the safety of workers would an investigating officer serve a decision revoking or suspending a licence with immediate effect during an inspection. Usually, the investigating officer will report their findings to the GLAA Licensing Team for a decision, including all explanations given by the PA:

- Where no issues are identified, a licence will be granted to the applicant or be allowed to continue unchanged for existing licence holders.
- If the inspection score is below 30 points, Additional Licence Conditions (ALCs) will be attached to the licence.
- If the inspection score is 30 points or more, the application or licence will usually be refused or revoked. However, the GLAA may consider attaching ALCs where it is proportionate to do so.

There is a right of appeal against any decision to refuse, revoke or attach ALCs. Licences revoked without immediate effect may continue trading in the GLAA sectors during any appeal proceedings. A business must stop trading immediately if a licence is revoked with immediate effect.

You should normally receive a response within six weeks. You should contact your investigating officer or the GLAA Licensing Team on 0345 602 5020 if you want to check progress following your inspection.

Complaints

You are entitled to submit a formal complaint if you believe the GLAA has acted inappropriately. Details on how to complain are included in the Compliance Code of Practice.

Publishing inspection results

The GLAA maintains a register of revoked licence holders. A press release may also be published. The Authority's policy on issuing press releases is available on the GLAA website within the External Communications Policy (www.gla.gov.uk/publications).