



Gangmasters & Labour Abuse Authority

Gangmasters and Labour Abuse Authority – Virtual Application Inspections Explained

Introduction

The Gangmasters and Labour Abuse Authority (GLAA) issues licences to Labour Providers (LPs) to operate in the GLAA regulated sector.

As part of the GLAA application process, Licensing Officers review applications and related documentation to check compliance with the Authority's Licensing Standards.

These checks are to ensure that the applicant is both 'fit and proper' and 'competent' to hold a GLAA licence.

Virtual Application Inspections (VAIs) are a key stage of the process. Where Licensing Officers have identified issues that require clarification or there are significant gaps, errors or omissions within the application, this could lead to a VAI being arranged by a Licensing Officer.

A VAI is conducted remotely, generally on a web-based communications platform such as Microsoft Teams.

Prior to the VAI, a Licensing Officer will make contact via telephone and/or email to arrange the VAI, provide further guidance and request any documentation required as part of the process.

At this point the Licensing Officer will discuss any need for an interpreter or other reasonable adjustments that might need to be made.

The Licensing Officer will also provide the date and time of the VAI.

What you can expect

- VAIs are pre-arranged.
- The Licensing Officer will have an identity card available at the time of the VAI.
- The Licensing Officer will ask to see the identity document/passport of the applicant.
- The nominated Principal Authority (PA) of the business must be available for the VAI. It may be taken as obstruction if the PA is not available without a reasonable explanation.

- Relevant documents covered by the Standards (including contracts with workers and clients, records of paying wages etc) may be examined.
- Licensing Officers may require you to produce specific documents and, if required, for further review.
- Refusing to produce requested documents without reasonable cause may be considered to be obstruction. The matter will be referred to National Investigation Teams (NITs) for further consideration of offences under Section 18 of the Gangmasters (Licensing) Act 2004 and is a breach of Licensing Standard 1.1.
- In addition, if the Licensing Officer suspects that any unlicensed trading has taken place (prior to any GLAA Licence having being granted), the VAI will cease and the Licensing Officer will refer the matter to National Investigation Teams (NITs) for further consideration of offences under Sections 12 and 13 of the Gangmasters (Licensing) Act 2004.
- If the Licensing Officer requires more time to consider the documentation provided, another VAI may need to be arranged to clarify any issues identified and to give the PA the opportunity to provide any further explanation.
- The Licensing Officer will discuss potential areas of non-compliance during the VAI. This gives an opportunity for the PA to provide an explanation for the identified issues.
- The Licensing Officer will summarise the inspection at the end of the VAI, to provide for additional clarification and completeness. This will include highlighting particular failures that have been identified and will be reported.
- The Licensing Officer will explain what happens next once the inspection has been completed.

After an inspection

A member of the Licensing Team will consider all of the findings, including all explanations given by the PA, and make a decision:

- Where no issues are identified, a licence will be granted;
- If the inspection score is below 30 points, Additional Licence Conditions (ALCs) may be attached to the licence;
- If the inspection score is 30 points or more, the application or licence will usually be refused. 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 or attach ALCs.

You should normally receive a response within two weeks.

Complaints

Stopping worker exploitation

You are entitled to submit a formal complaint if you believe the GLAA has acted inappropriately. Details on how to complain are available on the GLAA website (gla.gov.uk).