

# Association of Labour Providers Constitution

*Adopted by the Executive Committee on the 4th of February 2004. Last Revision at the ALP AGM May 2010.*

## Introduction

1. The name of the Association shall be the "Association of Labour Providers" (referred to in this constitution as "ALP").
2. ALP was established 4 February 2004.
3. ALP has the following mission statement:

**"The Association of Labour Providers (ALP) provides a service to labour providers by helping to establish a favourable operating environment for them and by providing information to assist them in their business."**

## Objectives

4. ALP shall have the following objectives:
  - To be a central representative body for labour providers putting their views and interests to growers, packers, labour users, supermarkets, the GLA, Government departments and agencies, Parliament and other relevant organisations.
  - To promote labour providers.
  - To be a centre of expertise and good practice providing commentary, statistics, guidance and advice on all legal and other regulatory developments of relevance to labour provision.
  - To source and promote a range of business services of benefit to labour providers.
  - To establish, promote and engender legal and ethically compliant standards of practice for the provision of labour.

## Membership

5. Any labour provider is entitled to become a member of the Association on payment of the appropriate subscription, and written agreement to be bound by the terms of this constitution and any code of practice established or endorsed by the Executive Committee.
6. A company may resign at any time but will not be entitled to any refund of subscription. Membership of the Association will automatically lapse if a subscription is not paid within three months of the date of the request for payment.

## Associates

7. The Executive Committee shall, at its discretion, admit as an associate of ALP any organisation that does not provide labour but which is otherwise interested in the business. Associates shall be entitled to participate in the affairs of ALP as decided by the Executive Committee.

## Finances of ALP

8. The financial year of ALP shall end on 31 December, but this may be changed by resolution of the Executive Committee.
9. The subscription scale shall be set by the Executive Committee.
10. Associates shall pay an annual subscription fixed by the Executive Committee.

## Meetings of ALP

11. ALP shall hold an annual general meeting not later than five months after the end of each financial year. At least three members of ALP, or the Executive Committee, may at any time require the Association to convene a general meeting of ALP. In convening such a meeting the Association shall give not less than 21 days' notice to members. At meetings of ALP each member shall have one vote.

## Executive Committee

12. The affairs of ALP shall be directed by an Executive Committee elected by the members in accordance with regulations made by the Executive Committee. To be eligible for election a person must be a chief executive, director or principal of a member.
13. The Executive Committee may co-opt up to two members.

14. A member of the Executive Committee shall cease to be a member if he or she resigns, or ceases to hold office in, the organisation in which he or she held office when they were elected.

15. Each member of the Executive Committee shall have one vote. The Chairman shall have a second, or casting, vote in the event of equality.

16. The Executive Committee may otherwise determine its procedures and arrangements for meetings.

#### **Chairman**

17. The Executive Committee shall, at its first meeting in each financial year, appoint one of its members as Chairman to hold office until the first meeting in the following financial year. In the event of the Chairman ceasing to be a member of the Executive Committee, the Executive Committee shall have power to elect a replacement to serve for the remainder of the term, this period of office not counting for the purpose of the requirement in the previous sentence.

#### **Committees, project groups and panels**

18. The Executive Committee may establish sub-committees and project groups, and may delegate matters to them.

19. The Executive Committee may appoint technical panels to advise and assist it.

#### **Director**

20. The Executive Committee may appoint a Director to be responsible to it for the management of the Association and may delegate any of its powers to the Director.

#### **Annual report and accounts**

21. The Executive Committee shall cause appropriate accounts to be maintained.

22. Auditors shall be appointed annually at a general meeting of members.

23. The Executive Committee shall prepare an annual report and audited accounts and send them to members within three months of the end of the financial year.

#### **Delegation**

24. The Executive Committee and the Director may delegate any of their powers.

#### **Revision of the Constitution**

25. This constitution may be amended by ALP at a general meeting provided that 75% of the votes cast are in favour of amendments of which prior notice has been given.

#### **Winding up of the Association**

26. The Association may be wound up or merged by resolution of a general meeting. Such resolution may specify how the assets of the Association shall be used.

#### **Codes of Practice**

27. The Executive Committee shall draw up or endorse a Code or Codes of Practice which shall be binding on members.

28. Members operating in the regulated sector are required to hold a Gangmasters Licensing Authority licence.

29. Where the GLA revokes a member's licence with immediate effect, membership of the ALP will automatically be suspended, including removal of member's details from the ALP website, until the GLA confirms that the member may resume trading. If there is no resumption of trading in the regulated sector the labour provider will cease to be a member.

Where the GLA revokes a member's licence but without immediate effect, membership of the ALP will continue during any appeals process. If the member successfully makes a new application to be licensed or is successful at appeal, membership will continue. If an appeal is unsuccessful and the member's licence remains revoked or the member chooses to cease trading in the regulated sector, the labour provider will cease to be a member.