

# Association of Labour Providers

**Minutes of the meeting of the Executive Committee held on Friday 21 September 2007, at 11:00 am, The Association of Charitable Foundations, 14 Upper Woburn Street, London WC1H 0AE**

## **Present**

Mark Boleat (Chairman)  
David Camp (Director)  
Andy Haselip (Pro-Force)  
Marshall Evans (representing Andy Hogarth, Staffline)  
Gary Norman (One Call Recruitment)  
Karen Lowe (TSS)  
Joanne Young (Right4Staff)  
Jimmy Davies (HOPS)  
Mark Spragg (CSA)-Guest  
Mark Rye (DKM)-Guest  
Jerry Camp (ALP)

## **1. Apologies for absence**

Lee Rand (Teamwork Resource)  
Bernard Gaughan (Total Labour Solutions)  
Penny Machale (PJL)  
Zahid Daar (Interecruit)  
Ken Steers (Provista)

## **2. Membership of the Committee**

The meeting welcomed Jimmy Davies (HOPS) as a newly-elected ALP Committee member.

## **3. Minutes of the meeting held on 14 May 2007 (Paper 2007/16)**

The minutes of the meeting held on 14 May 2007 were agreed as a correct record.

## **4. Issues on the Gangmaster Licensing legislation (Paper 2007/17)**

- The Committee considered the issue of licensing fees. There was broad agreement with the previous Secretary of State's view that the GLA needed to reduce fee levels. Concern was expressed whether businesses were paying at the correct rate for their turnover.
- David Camp briefed the Committee on the GLA User Group meeting held on September 19<sup>th</sup> 2007. The GLA were commended for their very positive approach to this meeting.
- The Executive Committee expressed its concern that law-breaking labour users appeared to be avoiding prosecution by the GLA and that the GLA were continuing to place their emphasis on the 'paper trail' that existed for licensed labour providers. Additionally, unlicensed labour providers operating in the 'black economy' were still not being pursued with the appropriate level of GLA enforcement.
- Several members stated that intelligence passed to the GLA did not appear to be acted upon.
- Many businesses on the GLA register were gaining advantage by declaring themselves to be New Businesses when they were well established businesses.

**5. Other issues relevant to members' business (2007/18)**

**Minimum Charge Rates**

David Camp gave a brief explanation of the draft Minimum Rates Table (October 1<sup>st</sup> 2007). There are a number of outstanding queries still to be answered by the AWB before wider circulation.

The Committee were asked for their views on how widely this should be circulated. There was general agreement that the table was useful in helping labour providers and labour users.

**NMW and Optional Deductions for Transport**

A discussion took place about the recent clarification from the HMRC NMW unit with regard to deductions for transport. The Committee agreed that this would be a further and unnecessary burden on both labour providers and workers.

David Camp was asked to feedback to the GLA and HMRC that the current position was unacceptable.

**2007 Agricultural Wages Order**

The decision to combine public holiday pay and holiday entitlement was discussed. David Camp informed the Committee that there appeared to be errors with the consolidation of the two entitlements. David Camp will pursue with the AWB.

**Private Hire Vehicles (8 seater or less)**

The committee discussed this and it was agreed to monitor the effect of the repeal of Section 75 in January 2008.

**6. Membership (Paper 2007/19)**

The Committee noted that the Association had 146 paid-up members as at September 18th 2007.

**7. Financial Position (Paper 2007/20)**

The Committee noted the financial position ; it was expected that the Association would exhaust its funds by the end of September 2007. It was agreed that the ALP Membership Subscription Scale remain the same for 2008.

**8. Marketing and Website Developments (Paper 2007/21)**

The Executive Committee was invited to note the progress of the marketing activity for the year to date, including the October recruitment campaign to achieve the target of 200 members by year end. David Camp briefed the meeting on the new website launch—due in October 2007.

There was a discussion on the proposed new charge rate calculator.

Gary Norman offered a selection of suitable photographs for the new website.

**9. ALP process for reporting illegal gangmasters or labour users paying illegal rates (Paper 2007/22)**

The Executive Committee considered Paper 2007/ 22 and agreed to accept the recommendations. The agreed policy will be communicated to ALP Members and placed on the new website.

**10. Review of ALP Associate Membership (Paper 2007/23)**

The Executive Committee noted the disappointing uptake by Associate Members and requested a marketing campaign to raise membership by year end. This campaign to include ALP Service Providers.

#### **11. ALP Policy Priorities (Paper 2007/24)**

**Issue 1:** Support for the Gangmasters Licensing Act to be extended to other sectors, but not a high priority as little likelihood of success given that primary legislation was needed

**Issue 2:** Support for a smaller, more effective GLA Board.

**Issue 3:** Merger of GLA into HSE to be considered when Defra formally consulted.

**Issue 4:** If GLA subsumed into HSE then support for effective representation of labour providers.

**Issue 5:** ALP should argue for a substantial reduction in GLA fees for 2008-2009.

**Issue 6:** ALP should raise with GLA concerns about lack of monitoring and feedback where issues had been reported.

**Issue 7:** Support for abolishing the Agricultural Wages Order (AWO) and Agricultural Minimum Wage (AMW).

**Issue 8:** Amending the accommodation offset arrangements to continue to be pursued.

**Issue 9:** Low Pay Commission to be asked to review the ruling that deductions from way with the agreement of the worker should not be regarded as deductions for the purpose of meeting minimum wage rules.

**Issue 10:** Continue to press for the abolition of the Worker Registration Scheme (WRS).

**Issue 11:** Seek clarification of the position for Bulgarian and Romanian. The current 'halfway-house' does not help prevent illegal working by Bulgarians and Romanians.

**Issue 12** Continued support for effective action on tax evasion.

**Issue 13:** No specific tax issues to pursue.

**Issue 14:** PSV and PCV requirements not to be pursued as a priority.

#### **12. Date of Next Meeting**

It was agreed that the next ALP Executive Committee meeting would be held in late January 2008.