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Association of Labour Providers

Minutes of the Meeting of the Executive Committee on Tuesday 29 September 2009, 11:00am, at The Association of Charitable Foundations, 14 Upper Woburn Street, Euston, London WC1H 0AE

Executive Committee Present

Mark Boleat (Chairman)
Stephen Brewis (Blue Arrow)
David Camp (Director)
Jimmy Davies (HOPS)
Andy Haselip (Pro-Force Ltd)
Andy Hogarth (Staffline)
Mark Rye (DKM)
Ken Steers (Cordant)
Joanne Young (Right4Staff)
Bernard Gaughan (Total Labour Solutions)

Also Attending

Jerry Camp (ALP)

1. Apologies for absence

Lee Rand (Teamwork Resource)
Richard East (RE Personnel)
Neil Yorke (Best Connection)

2. Membership of the Committee

Karen Lowe has now left the ALP Executive Committee. There is therefore an unfilled position which will remain vacant for the immediate future.

3. Minutes of the meeting held on 13 May 2009 (Paper 2009/13)

The minutes of the meeting held on 13 May 2009 were agreed as a correct record.

4. Gangmaster Licensing Authority Issues (Paper 2009/14)

Effectiveness of the GLA

The GLA has increased the number of enforcement officers to 40. It was noted that the GLA has recorded a very low number of Compliance Inspections on its website (41 in 37 weeks).

The Committee continues to support a strong enforcement approach and is concerned that the apparent absence of activity may be sending the wrong message about GLA effectiveness.

The GLA Hampton Implementation Review Report

The ALP Executive Committee noted the favourable report by the Better Regulation Executive, especially the GLA's impact on improving working conditions for some vulnerable workers.

The Committee also noted the favourable comments on the ALP in the report, highlighting the ALP's impressive results in raising awareness to many in the sector.

Consistency and Proportionality in GLA Decision Making

The Committee welcomed the progress that has been made on this subject. The GLA now has more robust processes in place which allow genuine misunderstandings and factual mistakes to be rectified before resort to the formal Appeal process.

GLA Outstanding Issues

There has been little progress made on policy and procedural issues as a consequence of David Nix's long term illness.

GLA Labour Provider Liaison Group

The next meeting of the group is on November 5th. The Committee was invited to propose agenda items and to forward these to the ALP Director.

GLA Retailers Protocol

The Committee welcomed the latest draft of the protocol and noted that this version was more inclusive of labour user views. The removal of much of the goldplating from the 'Best Practice Guide for Labour Users' was also welcomed.

The ALP will respond to the GLA's further consultation.

5. Future of the GLA (Paper 2009/15)

The Committee supported the approach outlined in this paper, that is of an extension of the remit of the GLA so as to ensure more consistent enforcement of employment and other legislation. The issue is being discussed with the GLA Chairman and the Conservative Party spokesmen.

6. Issues relevant to members' business (Paper 2009/16)

Charge Rates

The ALP has now published revised Minimum Charge Rate Guidance (October 2009). The Executive approved the new format based on the comments of labour providers consulted at the ALP 2009 AGM.

Umbrella Companies and Other Intermediary Structures

The Committee discussed the issue of umbrella companies and agreed that more information was required about these and other intermediary structures.

The Committee agreed that no specific guidance about individual umbrella companies be issued but that more guidance is obtained for members to help ensure compliance.

Applicability of the Agricultural Wages Order to Agency Workers on Contracts for Services.

The Committee continues to support the abolition of the AWO

Inquiry into the treatment of workers in the meat processing industry

Executive Committee members were updated on the EHRC continuing their Inquiry

Accession States Worker Registration Scheme

No further information has become available at the time of the meeting. The Chairman will continue to lobby the Home Office and work with the REC and TUC on this issue.

Agency Workers Directive

The Association awaits the Government's draft regulations. BIS will publish this in the next few weeks and conduct a second round of consultation

The Committee will be invited to contribute their views on the draft response prior to submission.

National Minimum Wage

The Committee noted the Government's announcement of the new (age 22+) NMW to be £5.80 from October 1st 2009.

7. Policy Priorities for 2009 (Paper 2009/17)

The Committee noted progress against the 2009 policy priorities. This was generally satisfactory.

8. ALP Financial Position (2009/18)

The Committee noted the current financial position for 2009.

Subscription Scale for 2010

The 2010 subscription rates were discussed; there were reservations about the impact on membership of an increase in rates. The Chairman was asked to write to the GLA Chairman to request that the GLA make a financial contribution to the ALP to help reduce the cost of 2010 subscriptions to new and small labour providers. As a consequence, the ALP would then be well placed to further assist the GLA achieve one of its objectives of giving greater guidance to a larger number of labour providers. However, there was little expectation that such an approach would be successful.

9. ALP – proposed management arrangements for 2010 (2009/19)

The proposed management arrangements were agreed by the Executive Committee as follows:

- allianceHR (David Camp's company) continues to take responsibility for the management and administration of the Association, including membership administration, marketing to potential new members, financial management, preparing Member Briefs and Newsletters, dealing with member queries, arranging events, managing the website, managing Executive Committee meetings and developing services. David Camp will remain Director of the Association.
- Mark Boleat will remain Chairman with responsibility for chairing Executive Committee meetings, preparing policy papers and representing the Association when required.
- allianceHR will be entitled to a fee of £5,000 (plus VAT) a month together with recovery of directly incurred costs (postage, telephone and travel). This is an increase from £4000 which has remained the same since 2007 and partially reflects the additional workload of a 100% increase in membership in this period. allianceHR will also be entitled to offset 2/3 of the cost of an Administrator, this cost having been borne by allianceHR to date.
- Mark Boleat will be entitled to a fee of £1,250 a month (plus VAT), reflecting the work required.
- The fees will be paid only if funds are available to meet other liabilities and will be paid in the ratio of 4:1 (i.e. allianceHR will receive 80% of what is available and Mark Boleat 20%). Recognising that the financial risk rests with Alliance HR and Mark Boleat, and that Mark Boleat has written off over £40,000 and alliance HR £14,000 to date, any surplus for the year will be divided as follows: 60% to Alliance HR and 40% to Mark Boleat.

The Chairman reminded the Executive Committee of their responsibilities.

The Executive will meet four times in 2010. The provisional dates for the quarterly meetings are:

**December 15th 2009, February 16th 2010, May 11th 2010 (includes Annual Meeting),
September 14th 2010, December 6th 2010**

10. Membership (2009/20)

The Committee noted the current membership total of 246. (204 at same period in 2008)