

**MINUTES OF THE SEVENTH MEETING OF THE LABOUR PROVIDER LIAISON GROUP – 11am, 11 January 2011, HELD AT Noble House, Room 204, LONDON**

Present:

|                           |                 |
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| Paul Whitehouse           | Chairman, GLA   |
| Darryl Dixon              | GLA             |
| Janette Bonham            | GLA             |
| Joanne Young              | Right 4 Staff   |
| David Camp                | ALP             |
| Mark Boleat               | ALP             |
| Chris Gorton              | Heads UK        |
| Terry Godfrey             | Tpg             |
| Konstantinos Makrygiannis | REC             |
| Marshall Evans            | Staff Line      |
| Jerry Camp                | ALP             |
| Gillian Econopouly        | REC             |
| Nick Graff                | Wise Employment |
| Claude Peters             | Van Stomp       |

Apologies:

|                |                                     |
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| Lewina Farrell | REC                                 |
| Michael Bayne  | Scottish Machinery Ring Association |
| Tracy Alyanai  | Industrious People                  |

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| 1 | Declarations of interest | <b>Note:</b><br>• None   |
| 2 | Minutes of last meeting  | <b>Note:</b><br>• Agreed   |
| 3 | Previous Actions         | <p><b>Note:</b></p> <ul style="list-style-type: none"> <li>• Reviewed previous meetings action points, 1, 2 &amp; 3, are ongoing.</li> <li>• Actions 4 &amp; 6 related to the two GLA Briefs for Overseas Guidance and A2 Nationals, which are due to go out shortly.</li> <li>• DC asked if the Group could see the drafts for both of these Briefs, if there are any changes to the draft, before they are sent out.</li> <li>• Action 7 requested any responses to the letter sent regarding low sentencing in enforcement. DD advised that more information would be coming out shortly concerning this issue and the Group would be kept informed.</li> <li>• Action 8 related to Macrory penalties. The Group were advised that information has just come in giving timescales for acquiring these powers. Information will be sent out to the Group to keep them up to date with this.</li> </ul> <p><b>Action</b></p> <ol style="list-style-type: none"> <li>1. GLA to distribute the above GLA Briefs to the Group should there be any changes to the draft.</li> </ol> |

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|   |                            | <ol style="list-style-type: none"> <li>2. Keep the Group informed as to ongoing progress regarding low sentencing.</li> <li>3. Information to be fed back to the Group regarding the Macrory penalties process.</li> </ol>   |
| 4 | GLA Brief update           | <p><b>Note:</b></p> <ul style="list-style-type: none"> <li>• DD advised the GLA have just issued the Brief on the renewal process. This process is now slightly more condensed to save both the GLA and licence holders time.</li> <li>• JC asked how many businesses have been marked as expired. Also how many of these companies then went on to re apply for a licence.</li> <li>• DD advised that this would be time consuming to find out. PW explained that this was caused by the current IBM system making certain information gathering difficult to obtain. The GLA plan to opt out from the IBM contract so that in future information will be easier to obtain.</li> <li>• JY confirmed that the renewal process was now a much simpler system than before and believed that this was an improvement.</li> <li>• DD discussed the idea of a new Brief concerning warnings/alerts which will inform Labour Users and Labour Providers of any information received by the GLA concerning unlicensed organisations (majority of which are overseas Labour Providers) which are touting for business.</li> <li>• Briefs on Overseas Guidance and A2 Nationals will follow on shortly.</li> <li>• A Brief on Forestry will be sent out in the next few months.</li> <li>• Guidance on processing and packaging will be issued, possibly on the website, the Group will be informed.</li> <li>• GLA Briefs on Managed Services &amp; Employment Status are currently in draft. A new short GLA Brief regarding time to pay arrangements is to be distributed.</li> <li>• GLA were asked whether a Brief would be done on Transfer of Licences and if not could the GLA publish some information on this issue.</li> <li>• DD confirmed that the GLA do not allow the transfer of licences. A paper explaining the position will be sent round the group.</li> </ul> <p><b>Action:</b></p> <ol style="list-style-type: none"> <li>4. Email Group with information on companies which have gone to expiry having failed to renew their licence and how many of these reapply for a licence after this date.</li> <li>5. Confirm to Group when guidance on processing &amp; packaging is done and published on the website.</li> <li>6. Add 'Time to pay arrangements' Brief to GLA Brief list.</li> <li>7. GLA Position paper on Licence Transfers to be distributed to the Group.</li> </ol> |
| 5 | GLA Spending Review update | <p><b>Note:</b></p> <ul style="list-style-type: none"> <li>• PW discussed the GLA spending review and advised the Group that the GLA have got money for enforcement but there would be cuts in the back office.</li> </ul>   |

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|   |                             | <ul style="list-style-type: none"> <li>Unfortunately due to these cuts the GLA will no longer be able to run the Labour Provider, Labour User and Worker Representative Liaison Group meetings.</li> </ul>  |
| 6 | Travel & Subsistence update | <p><b>Note:</b></p> <ul style="list-style-type: none"> <li>As previously advised, there will be a GLA Brief on Travel &amp; Subsistence in the next two weeks, this brief supersedes all other GLA Briefs on this subject and will take into account the recent judicial review outcome.</li> <li>The changes take effect from 1 January 2011 and the Brief makes clear the GLA's position with regard to Travel &amp; Subsistence schemes.</li> <li>The Brief will also have a note on it advising people that all future Briefs will be sent electronically.</li> <li>CG asked whether people have noticed any changes regarding Travel &amp; Subsistence schemes. TG replied that he had definitely noticed that far fewer companies are trying to run these schemes.</li> <li>DC advised that larger companies appeared to be changing their systems to accommodate the judicial review.</li> <li>TG commented on the increase of 16 hours working which seems to be growing within the industry. Two people work 16 hours between them and then claim benefits for the rest of the week.</li> </ul>                                  |
| 7 | Forestry Pilot              | <p><b>Note:</b></p> <ul style="list-style-type: none"> <li>DD advised that because of the lack of clarity with regard to forestry the GLA have agreed to do a lighter touch forestry pilot.</li> <li>Current analysis indicates that it is likely that the pilot will show that the risks are low within forestry.</li> <li>The GLA will look at various things within this industry including sole traders, partnerships (Scottish law is slightly different from English law). The GLA need to look at these anomalies. If the pilot concludes that some areas are low risk the GLA will look at a similar approach elsewhere in the industry.</li> <li>MB commented that perhaps membership of the ALP could count towards a reduced risk. DD advised that this might be a factor.</li> <li>JY stated that whether or not forestry is low risk should not affect whether they pay for a licence.</li> <li>CP advised that he finds it difficult competing with some areas of forestry for example the Christmas tree trade (particularly Eastern countries) so he will be very interested to see the outcome of this pilot.</li> </ul> |
| 8 | Any other business          | <p><b>Note:</b></p> <ul style="list-style-type: none"> <li>CP enquired as to what was the current position regarding the Agricultural Wages Board. PW responded that it will be abolished by October 2012.</li> <li>MB commented that the ALP cannot understand why it will be as late as October 2012 they are pressing for it to be abolished by October 2011.</li> <li>PW advised that enforcement in this area will be up to October 2012.</li> </ul>   |

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|   |              | <ul style="list-style-type: none"> <li>• MB advised that the social auditors posed a bigger problem to the industry with regard to WRS. This will not be abolished until it expires and the supermarkets will continue to audit it.</li> <li>• PW confirmed that with regard to WRS the GLA would not enforce this but social auditors could come and check.</li> <li>• CG advised that there is still widespread abuse with regard to holiday pay (more fraud, less holiday pay). Presumes the GLA are getting intelligence to suggest this too.</li> <li>• PW confirmed that this problem is right across the GLA sector.</li> <li>• DC asked if the GLA would be trying to have the consultation for the Licensing Standards completed for October 2011.</li> <li>• PW stated that the GLA would try to do this but it would depend on staff availability.</li> <li>• PW advised that his second term as Chair for the GLA was up for renewal on 31 March 2011. Under the agreement with Defra after two terms the position has to be re advertised and he confirmed that he would be reapplying for this position.</li> </ul> <p><b>Action:</b></p> <p>8. DD to ask Neil Court to write to group members of the supermarket protocol regarding the WRS scheme.</p> |
| 9 | Next meeting | <p><b>Note:</b></p> <p>To be discussed.</p>  |