



Department
for Environment
Food & Rural Affairs

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Date: 26 April 2013

Dear Consultee

**Formal written consultation on changes to the scope and governance of the
Gangmasters Licensing Authority.**

Consultation overview

1. The purpose of this consultation is to seek views on the Government's plans to change underpinning legislation to amend the scope of GLA licensing, to change the size and structure of the GLA Board and to suggest ideas for alternative sanctions that the GLA might use to tackle transgressions in this area.
2. An Impact Assessment is published to accompany this consultation. You are also invited to comment on the estimates and assumptions made in the Impact Assessment and to let us have your own views on the impact, with your reasons. Electronic copies of the Impact Assessment and to the Consultation Document can be found by following the link to the online survey page in paragraph 10.
3. We would prefer you to give us your answers to the consultation questions and your views on the Impact Assessment using the online survey. If you are unable to do so, we will accept responses via email to the consultation email box:
GLAConsultationEnquiries@defra.gsi.gov.uk
4. Alternatively, if you would like to receive hard copies of these documents, you may call Stephen Moorcroft at Defra on 020-7238-6295 or via email at GLAConsultationEnquiries@defra.gsi.gov.uk and one will be sent to you.



5. Separately from this Defra consultation the Gangmasters Licensing Authority have carried out a consultation on the administration of their licensing arrangements. That consultation set out proposals for change in the following areas: the application inspection process, earned recognition, license renewal process and changes to the public register and active check process. The GLA consultation opened on 28 January 2013 and closed on 22 March 2013. Details of the GLA's consultation may be found here: <http://gla.defra.gov.uk/Who-We-Are/Consultations/>.

Why are we consulting?

6. The review of the operation of the GLA licensing scheme, undertaken as part of the Red Tape Challenge during the autumn of 2011, concluded that the most vulnerable workers in the regulated sectors should continue to receive the protection offered by the licensing regime. However, the review recognised that the circumstances of supply of workers in some areas covered by licensing pose no serious risk of exploitation. The review recommended reducing the burden of inspections and fees on established, compliant businesses, whilst at the same time focussing more closely on the gross abuse of workers with an increased commitment to tackling any unscrupulous gangmasters committing crimes including tax evasion, trafficking, health and safety negligence and other serious crimes.

7. The GLA will target suspected serious and organised crime by working more closely with the Serious Organised Crime Authority, its successor, and other specialist law enforcement agencies across Government. The review also concluded that the current sanctions available to the GLA would not provide the flexibility it requires to carry out its compliance and enforcement roles effectively and proportionately in the future.

8. The Defra Minister of State made a statement to Parliament in May 2012 on the outcomes of the Red Tape Challenge review on the operations of the GLA. The full text of the Written Ministerial Statement can be found in Annex 1 of the Consultation Document.

What Happens Next

9. We intend to introduce the changes to the Exclusions Regulations in Autumn 2013 and changes to the GLA governance structures early in 2014. Once the arrangements are in place Ministers will appoint new Board members. Giving the GLA powers to use civil sanctions will require a consultation on specific proposals with a view to making the necessary legislative changes as soon as possible.

10. The following documents relating to this consultation may be found on consultation website: https://consult.defra.gov.uk/food/gangmasters_licencing.

- This consultation letter;
- Consultation document;

- Impact Assessment.

Responses

11. We would prefer you to give us your answers to the consultation questions and your views on the Impact Assessment using the online survey. If you are unable to do so, we will accept responses via email to the consultation email:

GLAConsultationEnquiries@defra.gsi.gov.uk.

12. Alternatively, postal responses can be sent to:

Stephen Moorcroft
Gangmasters Licensing Authority sponsorship Team,
Food Policy Unit
Department for Environment, Food and Rural Affairs
Area 3A Nobel House
17 Smith Square
London SW1P 3JR

13. Responses should be received by **21 June 2013**.

Consultation Criteria

- i). This consultation is in line with the consultation principles guidance. This can be found at <http://www.cabinetoffice.gov.uk/resource-library/consultation-principles-guidance>
- ii). When this consultation ends, we intend to put a copy of the responses in the Defra library at Ergon House, London. This is so that the public can see them. Also, members of the public may ask for a copy of responses under Freedom of Information legislation.
- iii). If you do not want your response - including your name, contact details and any other personal information – to be publicly available, please say so clearly in writing when you send your response to the consultation. Please note, if your computer automatically includes a confidentiality disclaimer, that won't count as a confidentiality request.
- iv). Please explain why you need to keep details confidential. We will take your reasons into account if someone requests this information under Freedom of Information legislation. However, because of the law, we cannot promise that we will always be able to keep those details confidential. We will summarise all responses and place this summary on our website. This summary will include a list of names of organisations that responded but not individual respondent's personal names, addresses or other contact details.
- v). To see consultation responses and summaries, please contact the library at:

Defra, Information Resource Centre
Lower Ground Floor, Ergon House
17 Smith Square
London SW1P 3JR
Telephone: 020 7238 6575
Email: defra.library@defra.gsi.gov.uk

Please give the library 24 hours' notice. There is a charge for photocopying and postage.

- vi). If you have any comments or complaints about the consultation process, please address them to Defra's Consultation Co-ordinator, Area 2D Ergon House, 17 Smith Square, London SW1P 3JR, or email consultation.coordinator@defra.gsi.gov.uk.
- vii). Thank you for your help in this matter. If you have any queries please contact us as above.