

# Temporary Labour Working Group (TLWG)

## Update: Progress on Implementing the Code of Practice

February 2005

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### Introduction

This document updates you on the activities of the TLWG since September 2004. It includes progress of the TLWG in rolling out the Code of Practice and trialing the audit systems to support it; the auditor training programme that has been developed and other supporting activities to facilitate the trial of the TLWG Code of Practice.

### Current status

The TLWG web-site can be found at [www.lpcode.co.uk](http://www.lpcode.co.uk). Launched in November 2004 to coincide with the formal launch of the Code and the Report into the work of the TLWG, the web-site provides and up to date resource for labour providers and labour users of the activities of the TLWG and its members.

Having set up a registration function for labour providers and developed a training programme for auditors to assess labour providers, the first auditor training course took place in January and the second stage of auditor training which involve shadowed audits will begin in February. The group will carry out ongoing reviews of the audit programme to monitor its effectiveness.

In the meantime, the group is now looking at other issues. Retailers within the TLWG are now exploring how they can support their suppliers and labour providers in understanding and implementing the provisions of the code. Other members of the TLWG are also looking at how to support their members in implementing the code. All of these activities which may include briefing sessions, workshops or specific training will communicate the principles agreed by the TLWG, whilst at the same time seeking to provide specific help to different audiences.

*Awareness raising:* In response to feedback that the message about the Code was not penetrating deep into the Labour Provider community, a basic introductory information leaflet has been developed. This will be circulated by all TLWG members to their suppliers and contacts. This simple double A4 leaflet explains why Labour Providers need to register to comply with the Code, who to do this and where to get further information.

The TLWG is also reviewing its web-site and materials on an on-going basis

## Progress since last update

### 1. Launch

The Code of Practice and Report of the Project were launched at the Houses of Parliament on the 17<sup>th</sup> of November. This was a very well attended event hosted by Jim Sheridan, MP and with brief speeches by Lord Larry Whitty, Parliamentary Under Secretary of State (Farming, Food and Sustainable Energy), Jack Dromey, General Secretary of the T&GWU, Mark Boleat of the Association of Labour Providers, David Gregory of M&S on behalf of the Retailers.

### 2. Fresh Produce Consortium (FPC) workshops

The FPC ran a series of workshops in October and November to help raise awareness of the Code of Practice and the registration scheme. Some members of the group presented in these sessions. As well as giving input this was an ideal opportunity for group members to understand the issues raised by Labour Providers and Labour Users. Although the sessions were well attended, reach was limited. Feedback made it clear that the complexity of the Code of Practice and how it relates to the Gangmaster Licensing Authority (GLA), the 'Gangmasters' Act and Legislation was not clear to Labour Providers and Labour Users. The TLWG is therefore now looking at better ways to support labour providers and users to implement the Code

### 3. Audit Programme Management

It was key to the group to put in place a system to manage and measure the implementation of the Code. The group developed an audit programme management system. This included developing a training programme for auditors to inspect Labour Providers. In October, the TLGW awarded the contract to Impactt Limited supported by Neil Court of Ethical First to:

- Develop the auditor training programme
- Deliver of the training
- Manage the training programme

#### First course

The resulting training programme was tested in late January. Eight auditors were be trained during this course. These auditors will then undergo a witnessed audit to assess how they put the theory into practice,. Those that pass the witnessed audit will then be able to audit labour providers that are seeking assessment. The TLWG will accept only named auditors that have been trained based upon its learning from the last two and a half years to carry out audits against the Code.

To ensure we begin to get Labour Providers audited as soon as possible, auditors who are registering to train are allowed to forward book up to six audits (before they are qualified) so that as soon as they are 'qualified' they can begin to carry out these audits. This is because auditors usually work on a six-week lead-time.

#### Continuing development

The auditors will be involved in further developing the auditing system. After this first course the TLWG will begin a regular series of (monthly) auditor meetings to discuss the audit training and the ongoing roll-out of the Code.

These meetings will discuss detailed issues such as

- Terms of reference
- Auditor approval process at company and individual level
- Systems and expertise
- Shadowing Process
- Contacting Suppliers
- Conflicts of interest
- Audit specifications
- Timings for audits – number of auditor days
- Sampling principles
- Reporting

All of this information will feed into the development of the GLA.

#### **4. Registration of Labour Providers**

In November, with the launch of the report and Code of Practice the TLWG launched a system of voluntary registration for Labour Providers that wish to comply with the terms of the Code. This registration included:

- Developing the registration function
- Commissioning a web-designer to set up a web-based registration system
- Developing registration materials
- A mechanism for responding to queries
- Handling of non-web-based registrations.
- And reporting back on this to the TWLG.

The web-site was developed in less than ten days and 'went live' at midnight on the 17<sup>th</sup> November (the night of the Houses of Parliament launch). To date there are 101 Labour Providers registered on the web-site. See [www.lpcode.co.uk](http://www.lpcode.co.uk) for more details.

The web-site allows online registration for Labour Providers and automatically records them. It also provides details of the code, updates to legislation and. To facilitate Labour Providers identifying an auditor the site also displays the auditors that are approved by the TLWG to carry out audits.

### *Analysis*

The database behind the web-site will also store the details of the audits carried out. This will allow the TLWG to carry out detailed analysis of the audits and to identify patterns which should be of value not only to the TLWG but also to the development of the GLA.

## **5. Rapid Response Team**

As the work to put together the registration function and auditor training was being done out it became clear that the auditors, labour providers and the consultants working for the TLWG would need rapid responses on some key issues which were being raised during the process.

In December the TLWG sub-group agreed to establish a Rapid Response Team to comment back to the consultants on key issues.

## **Next steps**

There is still a considerable amount of work to do. This is work which is unfolding as it progresses with new issues arising.

When the first feedback from the auditor training and actual audits begins to come in, as well as reporting back to the GLA on progress and challenges, the TLWG will need to make decisions and respond swiftly to Labour Providers and other stakeholders so that we continue to develop the mechanisms.

In the immediate future the key steps are

- 1) Capture feedback from first audit course and audits
- 2) Establish regular programme of meetings with Auditors
- 3) Amend process as necessary
- 4) Refine web-site data and keep it up to date.
- 5) Continue to liaise with the GLA and DEFRA to ensure the lessons from the TLWG Code implementation inform the development of the GLAs own systems.

Ends