



Department
for Environment
Food & Rural Affairs

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08459 33 55 77
helpline@defra.gsi.gov.uk
www.gov.uk/defra

Your ref:
Our ref: RFI 7135
Date: 15 January 2015

Dear [REDACTED]

REQUEST FOR INFORMATION: AGRICULTURAL MINIMUM WAGE CASES

Thank you for your request for information, which we received on 2 January 2015, about the processing of Agricultural Minimum Wage claims. We have handled your request under the Freedom of Information Act 2000 (FOIA).

During the period 1 January 2013 to 31 October 2014, a total of 111 agri wages cases were processed by either the Defra or RPA Agri Wages team. The Defra team, which operated until August 2014, consisted of 3 team members, 2 of whom worked part time on agri wages work. Of the 111 cases, 56 were resolved during the specified period. 27 of the resolved cases resulted in an out of court settlement being reached. The remaining 29 cases were closed for various reasons, such as insufficient evidence or our investigations concluding that the Agricultural Wages Act had not been breached.

Many of the settlements were informal mutual agreements, negotiated privately between the parties concerned. Consequently, the precise terms of the settlement or monetary restitution were not always disclosed to Defra and nor were they required to be. As such, we only have full details of 19 out of the 27 out of court settlements; in relation to the remainder we do not hold the information you seek. In all of these cases the settlement made was for the estimated full amount of arrears or for an arrangement which equated to the full arrears (for example where a deal might be made for enhanced accommodation terms). I should point out that settlements are made without prejudice and do not in legal terms signify a breach of the Agricultural Wages Act.

In order to establish a precise figure for an underpayment of wages it is usually necessary to complete a thorough course of investigation, which includes an inspection by a qualified Agricultural Wages Inspector. In some of the cases a settlement was reached before our investigations had concluded, based on an estimate of the arrears from the evidence gathered up to that point.

In keeping with the spirit and effect of the FOIA and in keeping with the government's Transparency Agenda, all information is assumed to be releasable to the public unless exempt. Therefore, the information released to you will now be published on www.gov.uk together with any related information that will provide a key to its wider context. Please note that this will not include your personal data.

I attach Annex A, which explains the copyright that applies to the information being released to you.



I also attach Annex B giving contact details should you be unhappy with the service you have received.

If you have any queries about this letter please contact the address below.

Yours sincerely,


Defra FOIA and EIRs Team

InformationRequests@defra.gsi.gov.uk

Annex A

Copyright

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Annex B

Complaints

If you are unhappy with the service you have received in relation to your request you may make a complaint or appeal against our decision under section 17(7) of the FOIA or under regulation 18 of the EIRs, as applicable, within 40 working days of the date of this letter. Please write to [REDACTED] Head of Information Standards, Area 4D, Nobel House, 17 Smith Square, London, SW1P 3JR (email: requestforinfo@defra.gsi.gov.uk) and he will arrange for an internal review of your case. Details of Defra's complaints procedure are on our [website](#).

If you are not content with the outcome of the internal review, section 50 of the FOIA and regulation 18 of the EIRs gives you the right to apply directly to the Information Commissioner for a decision. Please note that generally the Information Commissioner cannot make a decision unless you have first exhausted Defra's own complaints procedure. The Information Commissioner can be contacted at:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF