



# Review of the Seasonal Worker Visa

July 2024



MIGRATION ADVISORY COMMITTEE



*MAC Chair, Professor Brian Bell, on a site visit as part of the MAC's evidence gathering for this review*

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# Executive Summary

The agricultural sector's reliance on migrant seasonal workers is, as we [pointed out in 2018](#), unlike any other in the UK. There are obvious reasons why this is the case - physically demanding, low-wage seasonal work, in often rural locations far from population centres, can make the recruitment of domestic workers challenging. Wage differentials with poorer source countries can also make seasonal agricultural work in the UK an attractive and sometimes lucrative proposition for workers from overseas. The current Seasonal Worker Scheme (SWS) began life as a pilot in 2019 and [will run until at least 2029](#).

A key argument for the existence of the SWS – other than shortage of local seasonal labour – is that of food security. Whilst achieving a high level of domestic food production is not inherently essential for ensuring food security, there is evidence of increasing pressure on food security due to climate uncertainty and geopolitical instability. The potential for increased automation – and a potential to reduce the sector's reliance on migrant labour – is a key consideration when assessing the necessity of the scheme in the long term.

This review undertook an extensive range of quantitative and qualitative research to underpin our recommendations to government, including extensive stakeholder engagement, interviews, and data analysis. These are listed in more detail in the Introduction and in the associated Annexes. We are very grateful to employers, seasonal workers, scheme operators and other stakeholders for their engagement with this review.

Much of this research was undertaken whilst the future of the scheme was in doubt, prior to the announcement of a 5-year extension to the scheme (and an expected tapering of visa numbers in order to encourage automation and domestic recruitment) announced by the previous government in May 2024.

Our recommendations are structured around 5 broad 'umbrella' themes, namely:

- 1. Provide certainty around the future of the scheme** – further certainty is required from government regarding the long-term future of the scheme, which can be achieved by confirming visa numbers and any further extension to the scheme on an annual basis – effectively giving employers and businesses 5 years' notice if the scheme is to close. The criteria by which future visa numbers could be tapered must also be made clear. We do not recommend changes to the scheme's eligible occupations.
- 2. Allow for a more flexible visa** – greater flexibility would enable employers to plan more efficiently and for workers to maximise their earnings without adding complexity to the route. This can be achieved by shortening the current 'cooling-off' period from the current 6 months to 3 months and allowing workers to work any 6-month period in an individual calendar year.

3. **Fairer work and pay for workers** – a lack of pay data for those on the visa makes effective monitoring of pay very difficult. We recommend that Seasonal Workers are guaranteed at least 2 months’ pay in order to cover their costs in coming to the UK and reduce the risk that low-income workers are required to take. Workers are also subject to pension auto-enrolment and are typically eligible for a refund of income given their limited time in the UK that is subsequently difficult to process due to only being able to do so once they have finished employment and returned to their home country. This needs to be made clearer and simpler.
4. **Tighten, communicate and enforce employee rights** – Seasonal Workers coming to the UK are particularly susceptible to exploitation due to the nature of the work in often isolated rural areas, frequently with little or no English. Some are concerned that if they make a complaint, they may lose their visa and significant potential earnings. This means there is an inherent imbalance of power in comparison to employers. It is positive that many employers are undertaking significant steps to improve the welfare of those on the route, but there also appear to be a handful who are not doing so. Separately we have heard of instances of migrants paying significant fees abroad to unofficial agents or taking loans or otherwise accruing large debt.

To compound matters, the current enforcement landscape for Seasonal Workers is fragmented and does not offer an adequate safeguard of seasonal worker rights. We recommend a more coordinated approach between the bodies currently involved in worker welfare and a clearer delineation of responsibility for each. Worker rights must also be clearly communicated to workers in their own language, and we highlight where better data can be used to strengthen monitoring and enforcement.

5. **Give consideration to the Employer Pays Principle** – Seasonal Workers currently bear the cost of both their visa and their travel to and from the UK; costs which can be considerable, and which increase the risk of debt bondage. Further work is needed to investigate how these costs might be more equitably shared along the supply chain.

Ultimately, we believe that if the government intends to maintain current levels of domestic food production then there is a clear need for a SWS in the short-to-medium term. This will provide certainty to businesses who operate in a sector unusually reliant on migrant labour, given the lack of domestic workers and the seasonal and rural nature of the work. If the new government wishes to reduce the reliance on migrant labour whilst maintaining domestic food production and supporting rural economies in the long-term, then it must ensure there are appropriate policies and an environment for encouraging automation of these roles.

# Introduction

Aside from a short 5-year gap, a Seasonal Worker Scheme (SWS) for overseas workers to come to the UK has existed in one form or another since the end of the Second World War, with the current iteration – the SWS – having commenced as a pilot of 2,500 visas in 2019 in anticipation of the UK’s exit from the European Union (EU) and associated ending of Freedom of Movement (FoM) for EU nationals. This has left the SWS as one of the few remaining work routes for low-wage migrants to come to the UK. The sector’s historic reliance on migrant labour in lieu of a domestic workforce, and arguments around domestic food security, have previously been cited in justification for having such a scheme.

The scheme was expanded in 2020 to 10,000 places, and after the ending of FoM at the start of 2021 the scheme’s quota gradually increased year-on-year to 2024. The quota for 2023 and 2024 allows for at least 45,000 places per year in horticulture<sup>1</sup> (plus another 2,000 places for poultry workers), to be increased by 10,000 visas for horticulture workers “*should there be demand*”. The quota for 2025 will however see a slight reduction of horticulture visas to 43,000. Further detail for quotas to 2029 has not yet been set out.

Separate Seasonal Work Visas (SWVs) for the poultry sector were introduced in late 2021 following labour shortages in the sector. Horticulture SWVs allow workers to spend up to 6 months in the UK, whereas poultry workers are restricted to the Christmas peak season from October to December.

Given that the SWV had been in operation for several years, in March 2023, we wrote to the then-Minister for Immigration informing him of our intention to launch an inquiry into the scheme. Under the terms of the Framework Agreement between the Home Office and the MAC we are able, alongside commissioned work from the government, to engage in work of our own choosing and to comment on the operation of any aspect of the immigration system. The MAC had previously commented on the Seasonal Agricultural Worker Scheme (SAWS) in May 2013.

As we outlined in our letter, the aim of our review of the SWV is to assess its useability and impact for both employers and workers by considering the rules under which the scheme operates, the size and costs of the scheme, its economic rationale, the potential for exploitation and poor labour market practice, evidence from international comparisons, and the long-run need for such a scheme.

## Our approach to this inquiry

As part of this review, we have sought information from a number of different sources to inform our research and support our decision making. These included:

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<sup>1</sup> Horticulture can be defined as “the sector of the agricultural industry that is responsible for the production of fruit, vegetables, and ornamental plants.”

- **Call for Evidence** – We ran an online Call for Evidence (CfE) for around 13 weeks from June to October 2023, comprising 3 questionnaires aimed at employers, representative organisations, and those responding in a personal capacity. We received 83 unique responses, including from individuals who had direct experience of working on the scheme. Where Call for Evidence (CfE) respondents or interview participants have given percentages or monetary values in their quotes these have not been independently verified and, depending on the context, should on occasion be interpreted as the respondent’s way of expressing the order of magnitude of something rather than an exact figure;
- **Stakeholder engagement** – Stakeholder engagement played a key role in our understanding of the issues around the SWV. Members of the MAC met with employers using the scheme and other meetings were held with key stakeholders including the Home Office, the Devolved Administrations, Gangmasters and Labour Abuse Authority (GLAA), scheme operators, employer welfare organisations, and representative organisations in order to better understand the complexities facing the sector;
- **Primary research** – We commissioned our independent research contractor, Revealing Reality, to undertake 30 in-depth employer interviews and site visits to enable observation of tasks, environment, processes, and speaking to managerial, supervisory and seasonal work staff. 12 one-hour interviews and 18 half-day site visits were conducted, with similar organisations using and not using the SWS paired as far as possible. To ensure diversity, the sample frame covered a variety of characteristics, including geography (all 4 nations of the UK), size of business and a number of additional characteristics that were monitored throughout the project to ensure a range of viewpoints. This research was supplemented with an additional 3 employer site visits carried out internally by members of the MAC Committee and Secretariat;
- **Kyrgyzstan research** – We observed a Seasonal Worker recruitment event in Bishkek, Kyrgyzstan, and interviewed 28 prospective and returning Seasonal Workers, with one of whom we were able to conduct a follow-up interview once in the UK. We chose Kyrgyzstan because it has become a key source country for Seasonal Workers coming to the UK, and because of the timing of the recruitment event. We also met Kyrgyz government officials, the International Organisation for Migration (IOM), and the British Ambassador to Kyrgyzstan;
- **Data analysis** – We undertook analysis of relevant datasets to examine a range of issues such as the size and characteristics of the workforce and the migrants within it. This included:
  - A review of UK Visas and Immigration (UKVI) farm visit reports;



- A review of Department for Environment, Food, and Rural Affairs (Defra) Seasonal Worker Survey<sup>2</sup> data and Defra scheme provider Management Information (MI);
  - A review of Home Office management information, including Certificate of Sponsorship (CoS) data; and,
- **External evidence** – We reviewed external reports and literature from a range of organisations that examine the scheme’s remit and structure, worker welfare, and future options. This includes publications from Focus on Labour Exploitation (FLEX), Workplace Relations Commission (WRC), the Association of Labour Providers, IOM, Independent Chief Inspector of Borders and Immigration (ICIBI), the House of Lords Horticultural Sector Committee, the House of Commons Library, government departments and others. We also engaged with overseas officials to enable comparisons with similar schemes operating in other countries and heard evidence from Professor Michael Winter of Exeter University on the topic of food security at a MAC meeting.

## Structure of this report

**Chapter 1** examines the reasons why we have a Seasonal Worker Scheme.

**Chapter 2** outlines how the Seasonal Worker Scheme works.

**Chapter 3** looks at the economic and social impact of the Seasonal Worker Scheme.

**Chapter 4** looks at the impact of the Seasonal Worker Scheme on employers.

**Chapter 5** explores Seasonal Worker welfare issues.

**Chapter 6** details our conclusions and recommendations.

Further to the main report, the Annexes provide additional analysis, further information about the background to our approach, and a glossary of terms and abbreviations that we have used.

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<sup>2</sup> The Defra Seasonal Worker survey is disseminated online to Seasonal Workers (usually once they return to their home country) by the scheme operators. Workers choose whether to complete this survey and the results are not weighted meaning results may not be fully representative of the population. The full sample is 4290 people out of an estimated 33,000 Seasonal Workers.

# Chapter 1: Why do we have a Seasonal Worker Visa?

## Summary

- The Seasonal Worker Scheme aims to address labour shortages within horticulture and poultry arising from varying seasonal demand.
- Farms find it challenging to recruit domestic workers to seasonal roles for various reasons, but most importantly because these roles are not available for the whole year.
- Domestic production of affordable food is likely to be important for the UK's food security in future due to climate and global geopolitical uncertainty.
- The previous government's 2022 Food Strategy committed to maintaining food production levels in the UK. The Seasonal Worker Scheme helps to meet this commitment.
- Automation is a potential long-term solution that could reduce the need for seasonal labour within agriculture, however the development of machinery may require significant investment which individual farmers are unlikely to have sufficient capital for.

## Introduction

The following chapter sets out the reasoning behind the operation of a Seasonal Worker Scheme for horticulture and poultry in the United Kingdom. It draws on data as well as evidence provided by various stakeholders including farm users of the scheme and seasonal workers themselves.

The rationale for this scheme arises from a significant within-year fluctuation in the demand for labour within horticulture and poultry. This is due both to the seasonality of crops and the changing demand for produce at Christmas. During the peak season, farms have consistently reported being unable to recruit sufficient domestic workers to meet their needs, resulting in a desire to employ willing and able migrant labour. Previously, farms were able to meet their seasonal labour requirements using EU workers who were allowed under Freedom of Movement (FoM) to live and work in the UK.

## History and aims of the scheme

As set out in the MAC's [2013 report](#), seasonal worker schemes in the UK originated after the Second World War and were designed to facilitate the movement of young people from across Europe to work in agriculture as an additional source of labour in peak season. Whilst the original purpose was to provide young people the opportunity for cultural exchange, the current version is now targeted at meeting the varying labour demand within the horticulture and poultry sectors.

The Seasonal Worker Scheme was [closed in 2014](#) following [MAC advice](#) that EU expansion was likely to provide sufficient seasonal labour in the short term, and that continuance would represent

preferential treatment for the horticulture sector. After the UK's vote to leave the European Union in 2016 and in response to concerns within the farming industry in anticipation of the ending of FoM, in 2018 the previous government announced a [pilot scheme](#) to bring 2,500 workers from outside the EEA to work on UK farms for up to 6 months.

The MAC's [EEA report \(2018\)](#) set out the logic behind the reintroduction of a Seasonal Worker Scheme alongside a recommendation that otherwise, sector-based schemes should be avoided and that any future Seasonal Agricultural Worker Scheme (SAWS) should ensure upward pressure on wages. A new version of SAWS called the Seasonal Worker Scheme (SWS) was subsequently piloted in 2019.

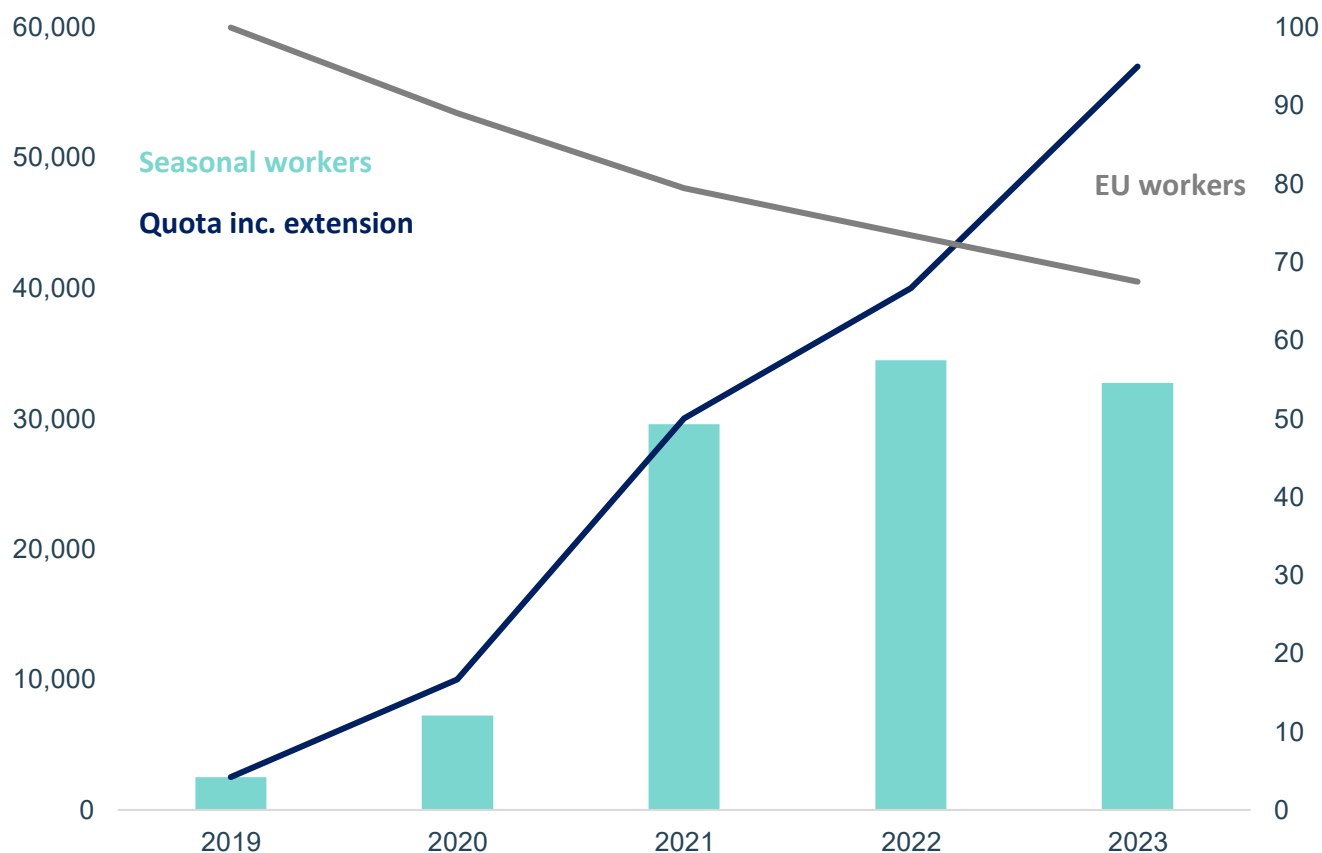
*“The labour market for seasonal agricultural labour is completely separate from the market for resident workers in a way that is unlike any other labour market... According to the ONS, 99 per cent of seasonal agricultural workers are from EU countries and it is difficult to imagine a scenario in which this workforce can come from the resident labour market. There is no other sector in which the majority of workers are migrants... If there is no such scheme it is likely that there would be a contraction and even closure of many businesses in the parts of agriculture in the short run, as they are currently very dependent on this labour.”*

**EEA migration in the UK, Migration Advisory Committee, 2018**

As shown in Figure 1.1 below, the increase in the visa quota since 2019 has coincided with a decrease in the number of EU workers within agriculture which has fallen from c.38,000 in the average month in 2019 to c.25,000 in 2023. To be clear, this captures all EU workers within agriculture and therefore includes both seasonal and permanent workers; it is possible that the reduced EU workforce is not distributed evenly across agriculture.

The observed decrease will not only be driven by reduced EU immigration post-FoM, but also an exit of EU workers previously working in the sector. The total number of Seasonal Worker Visas issued in 2023 was c.33,000, far below the absolute maximum 57,000 annual quota set by the previous government for both 2023 and 2024, of which 10,000 were a contingency only to be released if the government determined it was necessary. In 2025 this quota will be lowered to 45,000, reducing the maximum number of visas by a total of 12,000 including the removal of the 10,000 extension. There was no commitment from the previous government on the quota level beyond 2025, only a guarantee of the scheme's operation until at least 2029 and an intention to reduce the quota across the period.

**Figure 1.1: Seasonal Worker Visas issued and quota (left-hand axis), Change in EU workers in agriculture, indexed (2019=100, right-hand axis)**



Source: Home Office immigration stats, 2019-2023 and ONS UK payrolled employments by nationality, region, and industry, 2023.

## Agricultural labour market

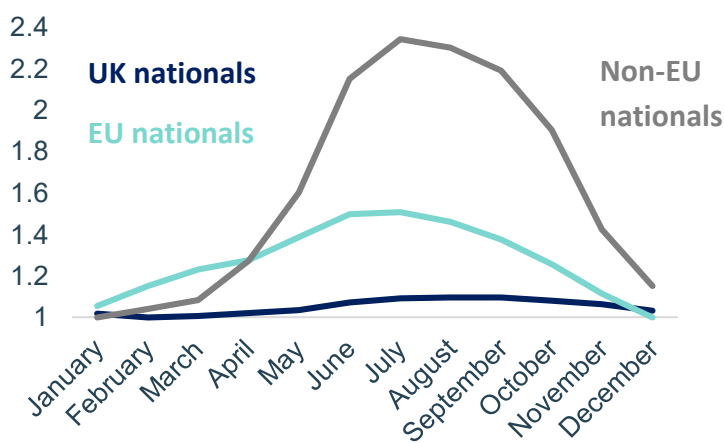
### Seasonality of agriculture

In 2023, employment within agriculture, forestry and fishing was relatively low compared to other industries and accounted for <1% of total employment in the UK. Employment within UK farming is cyclical, with demand for workers changing based on season; there is a clear within-year fluctuation that demonstrates the seasonality of work within this industry as crops ripen. During 2023, employment within agriculture, forestry and fishing peaked 17% higher than the baseline, with this variation reducing slightly since 2015 from 23%, suggesting a slight smoothing of labour demand. As shown in Figure 1.2, this difference is most stark for non-EU and EU nationals, compared with UK nationals, which peak 134% and 51% higher than the month with the lowest employment. Comparatively, the percentage change in employment of UK nationals stays relatively consistent across the year. However, when looking at absolute figures the difference between maximum and minimum employment levels is greater for UK nationals than both EU and non-EU nationals.

Focusing on employment of foreign workers within agriculture, in recent years there has been a shift from EU workers to non-EU workers, as shown in Table 1.3. This decline in the number of EU nationals

is not limited to seasonal workers, and applies to all EU born workers within agriculture, forestry, and fishing. The fall in EU workers is offset by a relative rise in the number of non-EU and UK nationals working within the sector. Looking at seasonal workers specifically, based on a survey of growers, the Department for Environment, Food, and Rural Affairs (Defra) estimated that in 2022, 87% of seasonal workers not recruited through the visa were EU settled status workers, with this falling to 79% in 2023.

**Figure 1.2: Change in employment within agriculture, forestry, and fishing split by nationality, 2023**



Source: UK payrolled employment by nationality, region, and industry, HMRC 2023.  
 Note: Employment is indexed so that 1 = month with minimum employment for that nationality.

**Table 1.3: Employment in agriculture, forestry, and fishing split by nationality, average month**

Nationality	2016	2023
UK	79%	81%
EU	20%	13%
Non-EU	1%	6%

Source: UK payrolled employment by nationality, region, and industry, HMRC 2023.

The seasonal nature of farming discussed above results in the varying labour demand within year demonstrated in Figure 1.2 and therefore, a reliance on flexible labour.

We observe from Defra’s surveying of farmers that in 2023 the agricultural workforce across England, Scotland and Northern Ireland was c.412,000, of which c.53,000 (around 13%) were defined as “seasonal, casual or gang”. Home Office visa data shows that in 2023, 33,000 Seasonal Worker Visas were issued. This would suggest that around 62% of “seasonal, casual or gang workers” were recruited through the SWS. The rest of the agricultural labour force is made up of contracted employees who are guaranteed a certain number of hours throughout the year, as well as farmers, business partners and directors.



**Table 1.4: Agricultural workforce, number of people, 2023**

	England	Scotland	Wales	Northern Ireland
Farmers, business partners and directors	179,000 (61%)	42,000 (62%)	38,000 (76%)	41,000 (77%)
Regular employees	77,000 (26%)	17,000 (25%)	nc	4,000 (8%)
Seasonal, casual or gang labour	37,000 (13%)	8,000 (12%)	nc	8,000 (15%)
<b>Total labour force</b>	<b>292,000</b>	<b>67,000</b>	<b>50,000</b>	<b>53,000</b>

Source: Structure of the agriculture industry, Defra 2024.

Note: Wales did not provide data on the number of regular employees/seasonal, casual or gang labour. Totals may not sum due to rounding. As per Defra data, 'Farmers, business partners and directors' also includes 'spouses'.

As shown in Figure 1.5 below, in recent years there has been an increase in the proportion of the casual workforce on the Seasonal Worker Visa (SWV). At the same time, since 2019 total employment of seasonal, casual or gang labour has been consistent. In other words, since its reintroduction, the SWS has substituted for workers with other statuses, such as EU citizens who arrived under FoM.

The change in the characteristics of seasonal workers is something that was referenced within our stakeholder engagement, fieldwork, and Call for Evidence (CfE). Employers told us they had seen a decline in their ability to recruit from various sources as a result of the ending of FoM. This included workers from the EU population resident in the UK (as they returned to their home countries, aged out of the labour market or moved on to other jobs); from the wider personal networks of these workers, which prior to the ending of FoM had been an important source of word-of-mouth recommendation for both employers and employees; and from workers who had preferred to live elsewhere in the EU and work in the UK seasonally. Although many within these groups of workers had applied to the EU Settlement Scheme (EUSS), employers stressed that this was a rapidly dwindling pool of labour:

*“At the start of the 2021 season, we had a sizeable pool of 1,900 potential seasonal workers who had EUSS status and had previously worked for [us]. Historically [we have] aimed for a 75 - 80% returnee rate [from this pool of workers], 2021 this % dropped to 46%, we had far fewer applications and obviously significantly less people arrive for work. Since 2021 our experienced EUSS status seasonal employees have reduced by 50% year on year. For 2023 we have employed a total of 319 seasonal employees with EUSS, this includes several new starters. This vastly differs from the 2,600+ EU residents [we] were employing in 2015- 2020. We believe that within 2 years this recruitment stream will disappear and no longer be a viable option for our harvesting operations.”*

**Large edible horticulture user, multi-site organisation, CfE respondent**

**Figure 1.5: Seasonal, casual or gang labour split into those on the Seasonal Worker Visa, thousands**

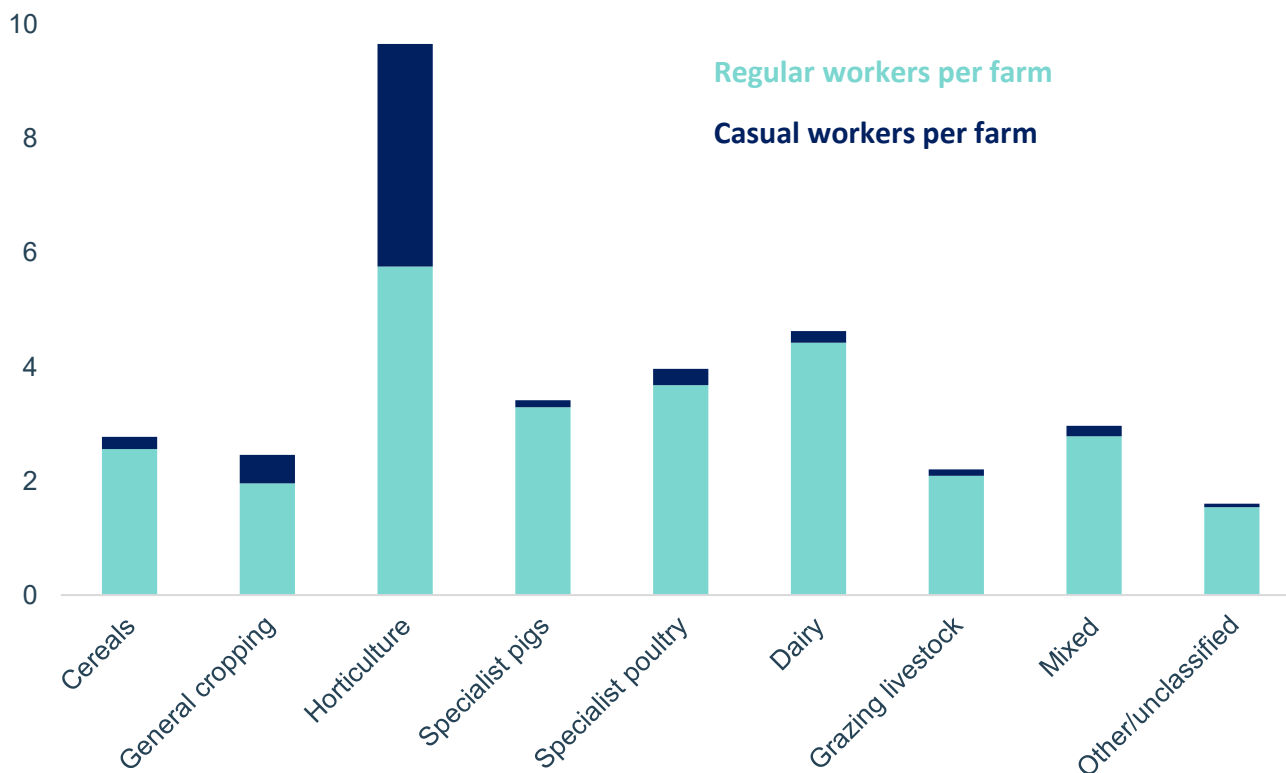


Source: Home Office immigration stats, 2024 and structure of the agriculture industry Defra, 2024.

Note: Seasonal, Casual or gang labour not on Seasonal Worker Visa includes migrants of other statuses with right to work in the UK, such as EU settled status.

The labour intensity for each farm type, split by casual and regular workers is visualised below. Horticulture is currently by far the most labour-intensive sector within farming and uses the most casual labour, with 5.8 regular workers and 3.9 casual workers per farm. It is therefore not surprising that the SWV is mainly targeted at the horticultural sector. However, this labour requirement is not fixed, and it is possible this could be reduced with additional automation within horticulture, something discussed in more detail later.

**Figure 1.6: Labour intensity by farm type, workers per farm, England, 2023**



Source: Structure of the agriculture industry Defra, 2024.

Note: Due to a lack of data, the above graph only covers the farms within England. Regular workers are defined by as both part-time and full-time workers with contracted hours. Casual workers are defined as workers who do not have guaranteed contracted hours.

## Horticulture and Poultry

The SWV is currently only available to foreign workers wanting to undertake jobs within horticulture (ornamental and edible), or poultry farming. This is partly due to the reliance within horticulture on casual labour (see Figure 1.6). See Chapter 2 for a further discussion on the rules of the scheme.

It is interesting to note the relative importance of domestic production within total supply of horticulture and poultry. In 2023, 53% of the total supply of vegetables in the UK was produced domestically, with the number being much lower for fruit (16%). Meanwhile, almost all of the UK's supply of poultry (82% in 2023) and around half of the UK's supply of ornamentals (55%) are produced domestically.

## Links to other government policy

### Rationale for seasonal work - Food security

The level of food produced domestically can affect the UK's food security. There is an argument that, despite a relatively small contribution to the UK economy (as discussed in Chapter 3), agriculture plays a public value role in maintaining food security through supporting domestic food production levels.

Food security is defined by [Defra](#) as “ensuring the availability of, and access to, affordable, safe and nutritious food, sufficient for an active lifestyle, for all, at all times”. An important point here is that self-sufficiency is not the same as food security; in a situation where the UK was 100% self-sufficient in the production of fruit and vegetables, if supply chain issues arose (such as a new pest killing a large number of crops) our overreliance on domestic production would make the UK less food secure.

As referenced in the previous [government’s food strategy](#), being part of a global food system improves our food security by diversifying our supply sources, giving us access to products that cannot be produced domestically and allowing comparative advantage to provide us with cheaper products. This is not to say there is no societal benefit in the domestic production of food. Evidence provided by Professor Michael Winter of Exeter University suggested that a climate of political uncertainty and the influence of climate change on salination, water shortage and soil erosion means that any over-reliance on sourcing food from other countries is vulnerable to potential shock. A balance is therefore needed where we support enough of our domestic industry so that we are not dependent on other places, whilst also not subsidising unproductive domestic production and missing out on a variety of fruit and vegetables as well as the potential gains from comparative advantage.

Professor Winter’s evidence also set out that, should a decision be made not to support the UK agricultural industry and allow parts of it to “die out”, it could be very difficult to bring those parts back in the future: the land may have been repurposed for other uses and no longer suitable for agriculture, or the relevant industry skills may have been lost. This means there are potential risks in reducing the size and scale of the UK’s agricultural industry, especially in the context of climate change and geopolitical uncertainty where domestic food production could become a more significant factor in maintaining food security.

It is likely that in the future, the domestic production of fruits and vegetables will benefit the food security of the UK through helping to ensure the availability of safe and nutritious food. This societal ‘food security’ benefit provides some justification for government support in the agricultural (and specifically) horticultural industry.

### **Rationale for Seasonal Work - ‘Flower’ security**

The previously discussed food security benefits clearly do not apply to ornamental horticulture, which it could be argued is more like other seasonal industries (such as retail) which do not have schemes allowing preferential immigration access; in isolation there is no clear justification for ornamental horticulture’s inclusion on the scheme.

However, in practice, the inclusion of ornamental horticulture supports the edible sector by providing alternative and complementary workstreams. For example, the daffodil season occurs at the beginning of the year before the main edible crops need workers, the inclusion of ornamentals encourages seasonal workers into the country earlier and provides a ready migrant labour supply at the start of the edible season. It also provides seasonal workers the opportunity to pick up additional hours, should the crops for which they were originally booked start later or finish earlier than expected. There is little evidence of competing demand for workers between ornamental and edible horticulture, given

that visa quotas have not been met, rather it is much more likely the demand for workers is complementary (the ornamental sector's inclusion benefits the edible horticulture sector).

The conclusion that can be drawn from this is that there is limited opportunity cost to ornamentals' inclusion on the scheme and therefore, preventing ornamental producers from recruiting using the scheme would likely create no benefit.

## **Government food strategy**

[The previous government's food strategy \(June 2022\)](#) set out 3 key objectives:

- A prosperous agri-food and seafood sector that ensures a secure food supply in an unpredictable world and contributes to the levelling up agenda through good quality jobs around the country;
- A sustainable, nature positive, affordable food system that provides choice and access to high quality products that support healthier and home-grown diets for all; and,
- Trade that provides export opportunities and consumer choice through imports, without compromising our regulatory standards for food, whether produced domestically or imported.

To achieve these objectives, the strategy suggests the UK "broadly maintain(s) the current level of food we produce domestically" and "ensures by 2030, pay, employment and productivity will have risen in the agri-food industry".

In May 2023, during a ['farm to fork summit'](#) the then Prime Minister Rishi Sunak, made a commitment in response to this to broadly maintain current food production levels where the UK produces c.60% of all the food it requires. At a speech to the National Farmers' Union conference in February 2024, he vowed to focus on food security and outlined plans for an annual Food Security Index, with a focus on specific produce e.g., that 15% of all tomatoes are produced domestically).

In other words, the previous government were committed to maintaining domestic food production levels. This has important implications for the SWV, which will have an impact on the ability to meet these commitments.

## **Rationale for Seasonal Work - Lack of domestic labour**

### **Shortage of available workers**

Seasonal agriculture has historically been highly dependent on migrant workers. We currently have a reasonably 'tight' labour market (where vacancies are high relative to unemployment), but this is not the main cause of employers' difficulty filling seasonal worker roles. For example, in 2020, there was an increase in unemployment and a fall in vacancies, indicating a weaker labour market, but the 'pick for Britain' scheme launched around this time failed to attract a significant number of British workers, as discussed further in Chapter 4.



Employers' difficulty attracting workers even during periods of higher unemployment could be due to a number of factors. In addition to the relative unattractiveness of some roles, which can often require challenging manual labour in cold, muddy conditions, seasonal jobs are only available for part of the year. Workers prefer permanent jobs with more stability and better long-term prospects, and in a tight labour market these options exist.

Many jobs within the sector offer relatively low pay. The table below compares pay in the main occupations seasonal workers work in (horticultural trades and farm workers) with competing occupations. These were identified by looking at the occupations without privileged immigration access and with the same minimum educational requirements as seasonal worker occupations, which had the most vacancies in 2023 across all Local Authority Areas (LAA) with 3 or more farms that have used the SWV. This analysis is not to say the following roles are comparable with seasonal work, rather they are competing with farms for labour. Table 1.7 shows, that whilst pay for 'farm workers' and 'horticultural trades' is low when compared to the whole economy, it is relatively consistent with pay rates for competing occupations. This suggests pay would not be a deciding factor for individuals to pursue these occupations (as others are available at similar rates). Further, the reliance on migrant labour suggests that pay is not sufficiently high to attract British workers to these roles. It is important to note, the median wage data presented for Horticultural Trades and Farm workers is for the whole occupation not seasonal workers specifically, who may be paid at a different rate.

**Table 1.7: Median hourly wage**

Occupation	2021	2022	2023
All employees	£14.10	£14.80	£15.90
Cleaners and Domestic	£9.30	£10.00	£10.90
Sales Related Occupations n.e.c.	£10.50	£11.20	£12.10
Customer Service Occupations n.e.c.	£10.30	£11.10	£12.20
Sales and retail assistants	£9.60	£10.10	£11.00
Kitchen and Catering Assistants	£9.00	£9.80	£10.60
Warehouse Operatives	£10.40	£11.10	£12.10
Horticultural trades*	£10.40	£11.10	£11.30
Farm Workers	£10.00	£10.70	£11.10

Source: Annual Survey of Hours and Employment (ASHE) and Lightcast's 'Analyst' platform (to identify competing occupations).

Note: Horticultural trades and farm workers included as they are the most common Seasonal Worker Visa occupation codes. Wages have been rounded to the nearest 10 pence. \* Indicates a CV of >5%, <=10%, meaning estimates are considered 'reasonably precise'.

## Geographical Immobility of Labour

In the recruitment of domestic labour, farms have local geographic barriers that must be overcome. Most farms that use seasonal workers are situated in rural, sparsely populated areas, where there may be relatively small local available labour pools, not only due to the relatively low population but additionally, rural areas have comparatively lower levels of unemployment compared to urban areas ([evidenced](#) by the correlation of population density to claimant count rate). Furthermore, there are

issues around an ageing population in rural areas. This could be a challenge for farms' recruitment as much of the work is physical and therefore suited to younger workers.

The table below shows some key labour market statistics for the LAA with the highest number of farms that use the SWS (Unitary Authority data is presented where LAA are unavailable). Whilst there is no consistent acute labour market issue that would explain farms' recruitment struggles, it is interesting to note that each Unitary Authority/Local Authority (UALA) specified is below the UK median UALA for population density and has roughly the same or higher average age than the rest of the UK. As seen in the case study at the end of this section, the converse (being near a town or city with a population of younger casual workers) was key for those employers who were not struggling with recruitment. One should be cautious about deriving strong conclusions from the analysis below, as some of the areas specified are relatively large and likely to have variation of local labour market conditions within area.

**Table 1.8: Area characteristics of top Local Authority Areas that use the Seasonal Worker Visa**

Unitary Authority/Local Authority Area (UALA)	Population Density (and percentile)	Average age (mean)	Unemployment rate	Average wage
Herefordshire	87 (11)	51	1.8	£14.00
Fife	280 (27)	41	4.0	£15.90
Kent*	449 (40)	41	3.5	£16.50
Perth & Kinross	29 (4)	44	3.2	£17.10
Worcestershire**	350 (33)	43	3.7	£15.30
Angus	53 (7)	47	2.5	£15.90
Cornwall and the Isles of Scilly***	162 (20)	45	2.0	£14.10
<b>UK</b>	<b>279</b>	<b>40</b>	<b>3.5</b>	<b>£15.90</b>

Source: Annual Population Survey Jan-Dec 2022. Location of farms derived from Defra operator data 2022.

Note: UALA appear in descending order of number of farms that use the Seasonal Worker Visa. Wages are rounded to nearest 10 pence.

\*Maidstone is the desired Local Authority Area (LAA), data is presented for Kent. \*\*Wychavon is the desired LAA, data is presented for Worcestershire. \*\*\*Cornwall is the desired LAA, data is presented for Cornwall and the Isles of Scilly.

It may also be difficult to recruit labour from further afield. Firstly, there are often poor public transport links to rural locations which may make it challenging to commute unless workers have access to a car. Moreover, often individuals living in urban areas will have more job options closer to home at a similar or higher wage, and the 'seasonal worker package' may be less attractive.

*"In our location, unemployment is less than 4% and those people reject work in agriculture mainly because they have no transport to get to our rural location and/or we are not able to offer 12 months of the year working. We have tried very hard to recruit locally, it would be very convenient to do so but there are just no people interested to take up our seasonal work. We advertise in the various job centres throughout the harvest season."*

**Medium edible horticulture user, West Midlands, CfE respondent**

## Ability to encourage domestic workers

Whilst we have argued that poor conditions discourage UK workers from undertaking seasonal work, this in itself is not a sufficient precondition for favoured access to the immigration system. In general, we would expect that, in response to workers' reluctance to undertake seasonal work, employers should increase wage rates/benefits to a point where workers would be willing to work in these roles. We have found some evidence that there is limited scope within the sector for pay increases that would be significant enough to encourage domestic participation in seasonal work.

Some employers told us that there may be restrictions in their ability to increase the hourly rate due to tight margins, something also mentioned in the [previous government's Independent Review into labour shortages in the food supply chain](#). [The House of Lords report](#) into the horticultural sector argues that this is a result of loss-leader pricing strategies in supermarkets which leads to poor grower returns within the horticultural sector. One could conclude from this that supermarkets should just charge more to improve growers' margins and allow for the recruitment of domestic workers at higher wage rates; however, it is not as simple as that. UK producers compete with imports and, without further market intervention such as tariffs, an increase in the price of domestically produced food will likely lead to consumers choosing imported food over 'home-grown'. This global competition limits how much employers can pass on additional costs to customers.

There may be strategies that can assist farms' domestic recruitment to some extent, for example by using domestic recruitment agencies or smoothing workload throughout the year, something that is discussed in more detail within Chapter 4. However, these strategies are more feasible for some employers to implement than others and they are unlikely to reverse the sector's overwhelming reliance on migrant workers in seasonal jobs.

### Case Study: Impact of location on ability to recruit

We heard evidence from a large ornamental horticulture grower in the south of England who were able to meet much higher demand for labour around Christmas by recruiting through local temporary work agencies. This was because they are based near a city with a large population: the farm is only about twenty minutes' travel time from the city, which they argued appealed to workers living there. It should be noted that many of the workers they were able to recruit were still from other countries.

In contrast, a similar size and type of business (a medium-sized ornamental horticulture grower) in a more rural area, struggled to recruit locally. They advertised via the Jobcentre and only had three responses from workers based in the UK.

*\*This case study is based on fieldwork from Revealing Reality*

## Seasonal Worker Schemes globally

The UK is far from unique in having a seasonal worker scheme. Many EU countries have similar schemes, as do other countries such as the US, Canada, Australia, and New Zealand. Whilst this does

not conclusively demonstrate the necessity of the scheme in this country, it shows that the issues around motivating domestic labour forces to undertake seasonal work are also experienced elsewhere. In Ireland, for example, a horticultural pilot scheme will take place in 2025 as a result of increasing difficulties in sourcing seasonal agricultural workers from within the EU. Officials cite increased competition for workers from other European countries, and a reduction in the numbers of EU seasonal workers from Eastern Europe where domestic economic development has reduced the attractiveness of seasonal work abroad. Similarly, Poland – for many years a sending country for agricultural workers – has since 2018 operated its own Seasonal Worker route.

The evidence we have received suggests at the prevailing pay rates, domestic workers are unwilling to undertake seasonal work on farms, and it is unlikely that farms will be able to meet their seasonal labour demands using the domestic workforce. This means, employers must either fill the vacancies with migrant seasonal workers who are willing and able to undertake the work, shift towards automation to reduce reliance on labour, or move away from labour-intensive produce that requires seasonal workers (either to alternative crops/livestock or into other industries). Many users of the scheme say that without the scheme they would not be able to continue to operate.

*“Without these visa employees we would have no business, certainly not of this nature. We are one of the largest direct growers of fresh produce to supply supermarkets in the UK and I can only but stress how critical a scheme like this is in absence of free movement of labour across borders. The UK fresh produce industry can't survive without them - it's that simple.”*

**Large edible horticulture user, Scotland, CfE respondent**

## **Alternatives to migrant seasonal labour – Automation**

Aside from migrant labour, an alternative solution to a lack of willing and able domestic workers would be to invest in automation processes which could reduce the horticulture sector's current reliance on seasonal labour. Improving automation also has the potential added benefit of improving productivity in the sector, an aim outlined in the previous government's food strategy.

### **Availability of technology**

In 2022, Defra conducted an independent review into Automation in horticulture, where 6 key clusters of technologies were identified that could help accelerate the development and adoption of automation within horticulture (optimised production systems, packhouse automation, field rigs and mechanical systems, autonomous selective harvesting, augmented work and, autonomous crop protection, monitoring and forecasting). The first 3 of these are currently widely available for mass adoption within the sector. Overall, whilst they have the potential to increase worker productivity through reducing the ergonomic burden of tasks, in practice it was assessed that they offered minimal labour savings. The remaining 3 are currently in development pipelines with many at “prototype

stages” and some devices currently undertaking farm trials. It is worth noting, this stage of development requires significant capital investment and therefore is often where new technology fails (if it is not sufficiently commercially viable to encourage large investments). The review also argues that many tasks within horticulture may never be automated. The limited availability of technology, and its adoption where available, is discussed more in Chapter 4.

There are barriers associated with adopting new technology as an alternative to labour. The Department for Business and Trade split these barriers into 3 categories: cost, certainty and capability which are discussed further below.

### **Certainty**

For businesses to incur costs investing in technology that will have long-term benefits they require a level of certainty that the business will remain viable when the benefits are realised. [Defra’s automation in horticulture review](#) argues that the year-to-year confirmation of the SWS has acted as a disincentive to farmers to invest in automation. The first recommendation in the review, is that the SWS should be extended as it will incentivise long-term capital investments, including in automation technology. Automation in horticulture is still emerging and developing, and both availability of automated processes and their adoption at individual sites is likely to be piecemeal, with other parts of the process continuing to require labour.

However, as argued by [Calvin et al., \(2022\)](#), the access to (relatively) cheap labour allowed by the SWS could itself become a barrier to automation. If farmers are not certain they will have an adequate workforce, they are more likely to purchase machinery that will replace labour to reduce the risk of crops going unharvested, assuming such machinery exists. These outcomes are consistent with economy-wide results reported by [Lewis \(2011\)](#), who finds that firms in areas which experienced high inflows of less-skilled immigrant workers adopted significantly less machinery per unit of output, despite having similar adoption plans initially. Contrastingly, the certainty provided by extending the SWS may allow risk-averse farmers to refrain from investing in such technology until such a time that it is proven.

### **Capability**

Technical and business knowledge across horticultural stakeholders varies significantly and hinders the adoption of new technologies. The skills required to develop, install, operate, and maintain the next generation of automation technologies will likely be science, technology, engineering, and mathematics (STEM) based. These are likely lacking within the horticulture sector, as traditionally they have not been needed.

### **Cost**

The automation process in horticulture requires significant capital investment both in Research and Development (R&D) and in the equipment itself. Whilst this initial outlay can result in net benefit in the future, many farms argue they do not have sufficient capital to invest in new technologies. As an example of the costs involved, we were shown a packing plant at a large edible horticulture business



that had three packing machines. Although the newest version was considerably more efficient, the business continued to use the older versions as replacing them would cost £250,000.

In addition, Defra's review into [Automation in horticulture](#) argues it can be challenging to raise funds through external investors or grants, suggesting the technology is insufficiently advanced, and therefore carries unpalatable risk, discouraging investment. Whilst there is evidence of grants offering support these are often unsuitable for horticultural automation.

Whilst there are certainly challenges in increasing automation in agriculture, globally progress has been made. Israel and the Netherlands both provide potential case studies where there have been significant advancements in automating agricultural processes through investment in technology. This has led to prototypes becoming developed, with the potential to replace labour for much of the growing process. Some examples of technology currently in development include; software that enables one person to operate multiple vehicles performing various tasks from seeding to harvesting; flying robot fruit pickers which use AI to determine what is ripe and unblemished; robots with the ability to harvest, spray and pollinate indoor crops; and a system that automates the trellising of greenhouse vegetables.

Even though automation is clearly not a quick fix to replace seasonal workers, these examples provide evidence in the long term it may be a viable option to reduce the agricultural sector's reliance on labour overall. Furthermore, it has the potential to improve productivity within the sector, helping to meet the aims of the previous government's food strategy.

Individual farms would likely find it difficult to invest in the research and development of this technology due to the high risk and costs involved. Therefore, a top-down approach could be helpful where government promotes investments in these technologies. Currently there are 2 main policies relating to supporting agriculture investment (although their focus is wider than just automation): the [Farming Investment Fund \(FIF\)](#), and the [Farming Innovation Programme \(FIP\)](#). The FIF allows growers to purchase commercially ready technology at a reduced rate while the FIP is an R&D focused grant. Additionally, Defra made up to £12.5 million available for automation and robotics industrial research, and experimental development through their farming futures funding.

In future, intervention should be focused on the development of labour-saving technology where possible. This sentiment echoes the conclusions of the [2013 MAC report](#) looking at seasonal work, and whilst technology has moved on as mentioned previously, the fact that 11 years on, the same recommendations are being made demonstrates the challenges associated with reducing reliance on labour in this sector. The previous government recognised the need for further automation in horticulture within [their response to the Independent Review into labour shortages in the food supply chain](#) where they stated their aim was to "turbo-charge" horticultural automation to help "transition away from low-skilled migrant labour as fast as possible". Whilst this is a sensible ambition, limited information was provided as to how they planned on achieving this challenging goal.

## Conclusion

Without the SWS, it is likely we would see a contraction in the domestic production of horticulture (and to a much lesser extent, poultry). Whilst this may not be massively detrimental to the UK economy due to agriculture's relatively low economic contribution, it risks harming the nation's food security in the future - the scheme is important if existing levels of domestic food production are to be maintained.

Advancements in automation may provide a possible alternative to migrant seasonal labour, however current machinery is not sufficiently developed to eliminate the need for seasonal work. Further intervention from government, such as 0% interest loans or increased public investment, could accelerate automation in this sector and in turn reduce reliance on seasonal labour.

# Chapter 2: How the Seasonal Work Visa works

## Summary

- The Seasonal Worker Visa (Temporary Work) allows workers to come to the UK to work in horticulture (both ornamental and edible) or poultry processing. The visa is delivered through the Seasonal Worker Scheme (SWS), which the Home Office and Department for Environment, Food, and Rural Affairs (Defra) are jointly responsible for.
- The government sets a quota for the number of visas to be allocated through the SWS, divided between a number of 'scheme operators' (7 for 2024 – 6 for horticulture and 2 for poultry, although 1 scheme operator licence was reportedly under review at the time of writing). For 2024, 47,000 visas were available (45,000 for horticulture and 2,000 for poultry, with an additional 10,000 available as a contingency if needed). Horticulture workers can come to the UK for a maximum of 6 months in any 12-month period, and poultry workers can come for the period between 2 October and 31 December inclusive. The route does not allow settlement, switching or dependants.

## How the scheme is organised

### Roles and responsibilities

Reflecting their dual policy interest in the Seasonal Worker Visa (SWV), the Home Office and Defra are jointly responsible for delivering the route. The Home Office leads on immigration policy and operational delivery of the visa, while Defra selects, manages and monitors scheme operators, along with gathering stakeholder insights on the route. Compliance and enforcement responsibilities are discussed below and are shared between a number of different actors.

### Sponsoring a Seasonal Worker

When recruiting Seasonal Workers in the UK, employers cannot recruit workers who are on the SWS directly (although they can recruit other types of worker, such as UK nationals, EU workers with settled status, and Ukrainians with permission to be in the UK). Employers must instead go through one of the nominated SWS scheme operators who act as the actual sponsors to the employee. 7 scheme operators were announced for 2024, 6 of which cover horticulture and 2 poultry, although 1 scheme operator licence was reportedly under review at the time of writing. As discussed in Chapter 1, the Seasonal Agricultural Workers Scheme (SAWS) in the UK that began in 1945 was initially envisaged as a type of cultural exchange programme, which over time became more formalised. Some of the initial SAWS labour providers became scheme operators, despite there being a gap of several years between

the 2 schemes, and additional scheme operators have been added. Organisations wishing to become scheme operators first have to pass Defra's Request for Information (RFI) process, which identifies potential operators through recruitment rounds and requires that they comply with the Gangmasters and Labour Abuse Authority (GLAA) regulations. Once approved, they can begin applying for a licence and are referred to Home Office UK Visas and Immigration (UKVI) to consider for licencing as an operator. 2 scheme operators also offer a payroll and HR package for SWS workers on behalf of each other to meet the requirement that organisations cannot recruit Seasonal Workers on their own behalf.

Scheme operators act as the brokers between employees and employers and are responsible for sourcing and recruiting Seasonal Workers from sending countries with permission from the relevant governments, which they may do either using their own staff or third-party recruitment agents. Employers apply to scheme operators to request a specific number of Seasonal Workers for a given number of weeks and start date, and scheme operators balance recruitment with these requirements; consequently, scheme operators will tend to request booking numbers for a given calendar year by autumn of the previous year. Scheme operators use different charging models, for example a flat weekly rate or an upfront cost and lower weekly rate. Charges may also be made if the scheme operator accommodates and transports workers on the employer's behalf.

Scheme operators are allocated a share of the overall Seasonal Worker quota (for 2024 most horticulture scheme operators received 7,500 each and 1,000 each for the 2 scheme operators recruiting for poultry), but in previous years this has varied. Operators entering the SWS for the first time will typically be given a smaller allocation. This represents their individual ceiling number of Certificates of Sponsorship (CoS) when the overall yearly quota is opened. The quota may be released incrementally, reflecting demand and operator performance. Once the scheme operators have identified the employees whom they wish to 'sponsor' to come to work in the UK, they assign a CoS to the worker and the worker uses this CoS to make their application online.

Workers may be given a CoS either for horticulture or poultry, but not both, even if the scheme operator has permission to recruit for both schemes. This is because the horticulture and poultry visas have different periods of validity (6 months for horticulture and around 3 months for poultry), and because there is some crossover between the roles available for poultry and the Skilled Worker (SW) route, with associated differences in salary requirements for some poultry production occupations.

### **Scheme capacity, withdrawn and expired visas**

Following receipt of the CoS number from the scheme operator, the potential worker uses it to submit a visa application, at which point it counts towards the scheme operator's quota. It must be used within 3 months of issuance in order to be accepted by UKVI. Should a CoS remain unused by the worker, scheme operators can reclaim it by withdrawing the CoS, and they will also have the CoS returned to their quota if the worker cancels it. Where one or more operators has confirmed that they are unlikely to meet their full individual allocation, these places can be redistributed to other operators, although this means that the number available in theory in the overall quota may also not be available in practice.

If a scheme operator has its licence suspended the workers are permitted to continue working. If a scheme operator has their licence revoked, workers in the UK have 60 days to find a new sponsor or alternatively return home. Those who are still in the visa approval process, having already paid their fee and submitted their application to UKVI, are unable to transfer to another operator and hence their applications are effectively cancelled. Workers who have not yet submitted their application may transfer to another scheme operator. After one of the scheme providers had its licence withdrawn in 2023, their visa quota was reallocated among the remaining scheme operators.

Since 2022 an additional quota of 10,000 has been available as a contingency in response to industry concerns about the adequacy of the overall cap and potential demand for Seasonal Workers, although this will cease in 2025. Any release of additional numbers would be made on condition that the 45,000 cap had been reached and in response to economic evidence of further recruitment need.

Nevertheless, as Figure 1.1 in Chapter 1 shows, the number of Seasonal Workers coming to the UK is well below the cap and the additional quota has never been used.

Internationally caps vary, as might be expected. New Zealand's Recognised Seasonal Employers scheme, for example, has an annual cap which has previously been increased as needed due to employer demand, from an initial 5,000 when the scheme was established in 2007 to 19,500 for the 2023-24 season. It is set to balance employer need with the effects on the New Zealand labour market, expected labour market conditions in the coming year and the availability of suitable accommodation. The H-2A visa classification in the US, on the other hand, sets no limit on the number of workers that can be issued a visa to perform temporary work in the US.

Most CoS issued result in a worker coming to the UK. The refusal rate for 2023 was 2%, and the visa has had a refusal rate of <5% for every year since 2019 (individual operators must maintain a refusal rate of <5% to comply with sponsorship requirements). Only small numbers (<0.2% every year since 2018 aside from 2022) were withdrawn and none expired.

## Rules of the scheme

Recruitment must be to specific roles, within the defined visa and cooling-off periods, and must comply with requirements on pay and hours worked. Accommodation may be charged for, subject to a maximum limit.

### Visa time limit and 'cooling off' period

The Home Office's [Immigration Rules relating to Seasonal Workers](#) set out that they may come to the UK for a maximum of 6 months in any 12-month period to work in [eligible roles](#) in edible or ornamental horticulture, or in poultry production from 2 October to 31 December each year. The worker's visa is valid for whichever is the shorter of the period on the CoS, plus 14 days before and after, or 6 months in any 12-month period. Seasonal Workers may return to the UK in subsequent seasons but will only be issued a visa for 6 months in any 12-month period (the remaining 6 months is termed the 'cooling off period'). These time limits are comparatively strict: for example, in New Zealand workers may stay for 7 months in any 11-month period (see Chapter 4 for further

international comparisons). However, in reality, workers are often in the UK for less than the maximum length of their visa (as we discuss in Chapter 5).

There is no formal Home Office mechanism for requesting that the worker should return to the UK for subsequent seasons (the applicant simply makes a fresh application). However, in practice returnees are very important to scheme operators and employers (as we discuss in Chapter 4). Both scheme operators and employers often have systems to register workers' interest in returning and employers' interest in having the same worker back.

### **Roles recruited for**

The [Immigration Rules](#) specify which job roles within edible and ornamental horticulture, and poultry production, are eligible for sponsorship on the scheme. Only certain roles within each SOC Code are eligible for the scheme. For employers using the horticultural scheme, demand for migrant labour support is highest in SOC Code 5112 (horticultural trades occupations), followed by 9111 (farm worker occupations). Of the roles eligible for the poultry scheme, the highest demand from employers is for workers in SOC Code 5433 (which covers poultry dresser occupations). Employers and representative bodies responding to our Call for Evidence (CfE) had used the SWS to recruit a wide range of roles (views on this are discussed in more detail in Chapter 4).

### **Pay, hours and accommodation**

#### *Costs*

Workers are responsible for paying their own visa application and flight costs, and often onwards travel from the airport to their workplace if this is not provided by the employer. The cost of the SWV is currently £298, more than the £137 currently estimated as the unit cost for processing in Home Office [visa fees transparency data](#). The International Organisation for Migration (IOM) estimated the total cost for a Kyrgyz national to come to the UK to work on the SWS at between £914-£1,839 for 2022 in their response to our CfE <sup>3</sup>.

#### *Pay*

Workers sponsored to work in the horticulture sector or in poultry production roles must be paid National Living Wage (NLW) (currently £11.44 per hour). For the poultry visa only, butchers (SOC 5431) or poultry dressers (SOC 5433) must be paid in line with SW thresholds (currently £15.88 per hour, or £38,700 per year pro rated). If the worker is being sponsored to work more than 48 hours a week, only the salary for the first 48 hours a week can be considered towards the £38,700 threshold.

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<sup>3</sup> £10-100 to attend interview; £259 visa cost; £30-90 visa processing cost; £15-30 translation and notary service; £100-300 travel and subsistence to obtain visa, which must be done in neighbouring Kazakhstan; £500-1,000 return flights to UK; £0-60 travel from airport to farm in UK.



Workers may be paid more than basic pay if they have supervisory responsibilities, night shifts, or enhanced picking/performance bonuses for exceeding targets. Overtime must be paid at the rate set out in the [Agricultural Wages Guide](#). In the event that the relevant agricultural wage in one of the Devolved Nations exceeds the Seasonal Worker minimum wage as set out in sponsor guidance, employers must pay the higher wage. However, this has not happened to date.

### *Hours*

Since 12 April 2023, the Immigration Rules have stated that Seasonal Workers must receive a minimum of 32 hours' pay for each week of their stay in the UK, regardless of whether work is available. This change was made with the intention of ensuring that workers are not bearing significant risks from bad weather impacting availability of work.

Prior to this change, the minimum hours offered were set out as an aim (agreed with Defra and specified in the information given by operators in their Request for Information documents submitted as part of the bidding process) rather than a guarantee and varied between operators. In 2019, when the route was piloted, the minimum hours specified ranged from 20-30 hours pay per week and subsequent evaluation suggested that these were not always met. From 2020 onwards scheme operators continued to set out minimum hours on this non-guaranteed basis, and the Home Office was criticised by various Non-Governmental Organisations (NGOs) for not specifying a minimum number of weeks and not ensuring compliance with the hourly requirement, with workers describing having the hours they were offered cut when there was less work available.

Hours may be pro-rated over the pay period if workers are paid on a monthly or fortnightly basis rather than weekly. Workers must receive pay between placements where they are not employed by a single employer for the duration of their visa, and it is the scheme operator's duty to ensure that any gaps in employment remain paid. This situation was recently clarified by the Home Office, prior to which scheme operators had interpreted the 32-hour per week requirement as applying only to the time workers were actually with producers on site. Table 2.1 shows that most workers responding to the [2022 Defra Seasonal Worker survey](#) self-reported working for at least 32 hours on average. To note, this data was collected before the minimum hours guarantee, which applied from April 2023.

Seasonal Workers should not have to work more than 48 hours a week, including any overtime, unless by choice. They are entitled to at least 1 day off per week, or 2 days every two weeks, and a rest break of at least 20 minutes if working more than 6 hours per day.

**Table 2.1: Self-reported hours worked per week (Defra Seasonal Worker Survey, 2022)**

What was the average number of hours you worked in a week?	% of responses:
Under 20	1%
20-24	1%
25-29	2%
30-34	10%
35-39	19%
40-44	26%
45-49	27%
Over 50	14%

Source: Seasonal Worker Survey 2022.

Base: All responding: 3,905.

Annual leave is based on normal working hours and accrues from the first day at work. When Seasonal Workers transfer or return to their home countries at the end of the visa, any annual leave accrued but not taken must be paid to them at their normal working rate.

#### *Accommodation*

Sponsor guidance requires scheme operators to ensure that “workers are housed in hygienic and safe accommodation that is in a good state of repair”. The [Growers’ Toolkit](#) lays out the responsibilities for growers: ensure appropriate licensing and registrations are in place; “letting agreements are professionally prepared, legal, clear, and fair”; and that “accommodation is secure, safe, hygienic and meets basic needs” avoiding conditions such as mould, dampness and overcrowding, in good repair and with safe gas/electric supply. Scheme operators are responsible for checking the standards of accommodation available before agreeing to place workers at a producer, most using standards such as those set out in the [Fresh Produce Consortium](#) guidance.

Employers can charge Seasonal Workers for accommodation, and most do so. Accommodation charges are capped at £69.93 per person per week, in line with the standard National Minimum Wage (NMW) and NLW accommodation offset rules. Employers can offset this against wages. Over and above accommodation, employers vary in what is included in the price – full or partial provision of gas/electricity, and whether or not items such as bedding, pans and plates are provided (in many cases workers have to buy these). Additional charges, such as utilities, laundry or furniture that workers are obliged to pay (as a precondition) must be included. If they are not then the accommodation charge must be decreased, workers’ base pay increased, or additional items not charged for.

The Low Pay Commission (LPC) has raised concerns about the interaction of the Seasonal Worker minimum wage rate and the accommodation offset charge in situations should the Seasonal Worker minimum wage rate be above NMW (as it was in 2022, when the Seasonal Worker rate of £10.10 per hour was higher than the NMW rate of £9.50; it is now set at NMW):

*“In principle, an employer recruiting seasonal migrant workers and obliged to pay the higher rate, can allay the extra expense by increasing the accommodation charge they recoup from the workers. As long as workers receive an hourly rate of £10.10, the employer is compliant with the visa regime ... the policy intent of the higher visa rate is undermined; the benefit to workers of higher hourly pay is removed.”*

**[Low Pay Commission Report 2022](#)**

Pay is discussed further in Chapters 4 and 5 from both the employer and employee perspective.

## **Other rules of the scheme**

### *Resident Labour Market Test*

In common with other visa routes, there is no Resident Labour Market Test on the Seasonal Worker Route, although employers are nevertheless required to demonstrate that they are trying to recruit British workers (on a general and ongoing basis; they do not have to advertise each specific vacancy) to be eligible to use it. Other countries do use a form of resident labour market test. In Canada a [Labour Market Impact Assessment \(LMIA\)](#) is required before an employer can recruit seasonal workers. The LMIA must demonstrate that there are no available domestic workers and must be approved federally by the immigration department. The LMIA is not specific only to agriculture workers and is also a requirement for other sectors. Similarly, the US H-2A visa classification requires that there is not sufficient able, qualified, and willing US workers available for the job and the employment of a foreign worker in the job will not adversely affect the wages and working conditions of US workers similarly employed in order for employers to be granted certification to employ workers with H-2A visas. As labour market tests delay recruitment, the requirement to demonstrate active efforts to recruit British workers therefore seems to be a pragmatic alternative. Employers' efforts to recruit domestically are discussed further in Chapters 1 and 4.

### *Settlement and switching*

The SWV is not a route to settlement, and switching is not allowed into other visa routes. Workers may also not switch onto the SWV if they are already in the UK on another visa.

### *English language*

There is no English language requirement for the Seasonal Worker route, in common with other short-term work routes. However, in practice scheme providers may make other language rules – for example, that Seasonal Workers being recruited from Central Asia (Kazakhstan, Kyrgyzstan, Uzbekistan

and Tajikistan) should be able to speak Russian, whether or not this is actually their first language. This is to facilitate informed recruitment and ensure the scheme provider is confident that people have understood the terms and conditions of the route before applying. There are pros and cons to such an approach from an employee welfare perspective, which are discussed in further detail in Chapter 5.

### *Dependants*

Dependants are not permitted on the Seasonal Worker route. In practice, couples and family groups often come to the UK together, but on the basis that each adult has applied and been accepted separately (larger groups of family and friends might be subject to more detailed investigation by employers or scheme operators to check that there are no Modern Slavery concerns). Seasonal Workers can ask their scheme provider to place them with family and friends.

### *Financial requirements and access to public funds*

People who are in the UK on the Seasonal Worker route have no recourse to public funds (NRPF). In common with other work routes, workers are required to demonstrate that they have personal savings of £1,270 in order to ensure that they can support themselves in the UK initially. The SWS allows scheme operators to act as a guarantor for a Seasonal Worker for their first month, thereby meeting this financial visa requirement. Often in practise they are happy to do this because they know the workers are going into employment. However, in some instances where employers are unaware of this requirement, they are often the ones to provide financial support when a worker arrives with insufficient funds. Chapters 4 and 5 discuss this requirement further.

### *Healthcare*

People in the UK on the SWV have access to free primary and emergency healthcare only in England, Wales and Northern Ireland. Other (secondary) treatment must be paid for, and as such Defra require scheme operators to have arrangements in place to ensure Seasonal Workers have adequate health insurance, or equivalent coverage, for medical expenses while they are in the UK. In Scotland, all NHS services (other than dental and eye care) that are free to UK citizens resident in Scotland are also free to Seasonal Workers.

### *Dismissal*

Although employers must guarantee employment for the minimum number of hours and paid at the minimum rate, workers may still be dismissed for reasons including misconduct (for example fighting, possession of drugs) or poor performance. Workers may also choose to leave early – as we discuss in Chapter 4. Table 2.2 below shows that, while rates are fairly low, dismissal is far from unknown. Discussions with employers indicated that before dismissing an individual, they may be tested in alternative roles on site first (for example moving from a picking to a packing role) but that if this proves unsuccessful, they may ask scheme providers to take the worker back. Scheme providers said that they would in these cases try the worker with another employer, but that if the worker was clearly unsuited to the work they may be dismissed altogether. Chapter 4 discusses retention in more

detail, and Chapter 5 has additional information on early leaving: 75% of workers left as scheduled in 2022, with the remainder leaving early for a variety of reasons both voluntary and involuntary (see Figure 5.5).

**Table 2.2: Dismissal rate (total workers)**

	2019	2020	2021	2022
Workers dismissed	40	140	550	950
Visas issued	2,500	7,200	29,600	34,500
Dismissal rates	1.7%	1.9%	1.9%	2.8%

Source: Defra operator data, Home Office published immigration stats.

Note: Data from Q2 2019 – Q4 2022.

### *Transfers*

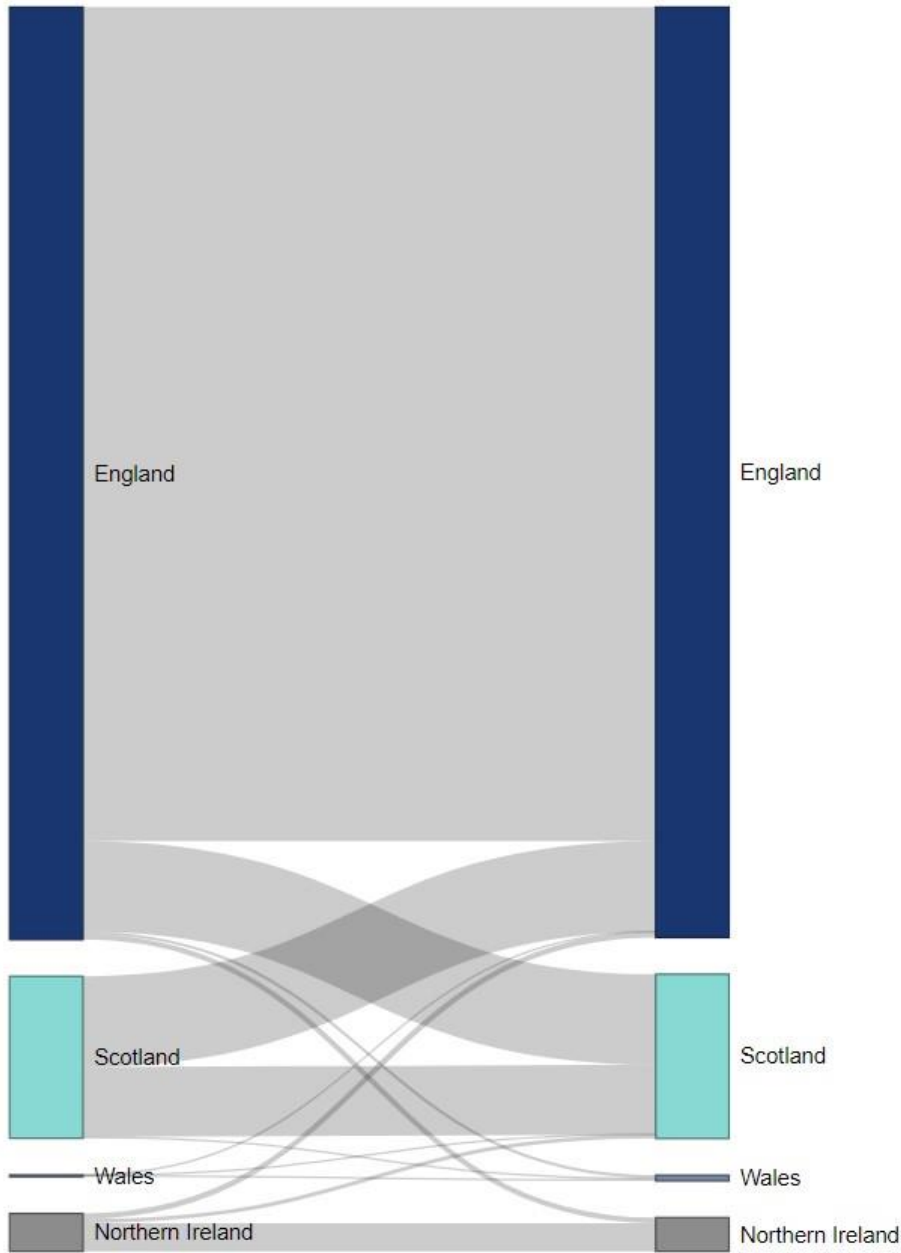
Transfers may be requested by either Seasonal Workers or employers. [Guidance](#) states that there should be “a clear employer transfer pathway” and transfers should not normally be refused. Workers are able to request a transfer from scheme operators, and employers are unable to deny this if it is granted. Chapter 4 sets out that between 2020 and 2022 the overall transfer rate was 19%. Transfers are only possible between employers covered by the same scheme provider.

From interviews with scheme providers, employers, and Seasonal Workers, it appears that there are a number of reasons why requested transfers might not happen in practice. For example, there may not be any vacancies at the target farm; or the worker may be close enough to the end of their visa for training and starting on a new type of work not to be viable (employees typically take a few weeks to get up to speed, as discussed further in Chapter 4). Scheme providers we spoke to said that welfare cases (for example in cases of relationship breakdown, domestic violence or abuse) would be prioritised for transfers even if a transfer would not normally be possible.

According to employers, seasonal workers are well connected on social media and share information about where the highest pay and number of hours are on offer. They told us that sometimes workers will arrive without warning or having gone through their scheme operator at a new farm. In many cases, particularly if the Seasonal Worker is sponsored by a different scheme provider to that used by the farm, this is not possible.

Figure 2.3 shows the number of transfers at a country level in 2022. Overall, transfers to and from each individual country of the UK more or less balance out. 74% of transfers occur exclusively within England, whilst there are very few transfers from Wales (0.5% of all transfers to and from Wales) or Northern Ireland (3.8% of all transfers to and from Northern Ireland), reflecting the overall small number of Seasonal Workers there. Just over half of Scotland’s transfers were to England, with most of the remainder transferring to another farm in Scotland. As shown in Figure 4.5, the total number of transfers occurring on the scheme between Q1 2020 and Q4 2022 is 13,558, equivalent to 19% of the total number of Seasonal Workers employed in this period (although some may have transferred multiple times). Chapters 4 and 5 discuss the issue of transfers in greater detail from the employer and employee perspective respectively.

**Figure 2.3: Transfers within and between UK countries**



Source: 2022 Defra operator data.

Base: Total transfers between countries (8,800) (England: From 7,200, To 7,200; Scotland: From 1,300, To 1,300; Wales: From 10, To 40; Northern Ireland: From 290, To 260).

### *Leaving the UK*

Scheme operators are required to ensure that Seasonal Workers leave the UK, although in practice the main requirement of this is that the worker shows them evidence that they have booked travel, and then confirms their return. In order to maintain their licence, scheme operators must ensure that at least 97% of Seasonal Workers they sponsor return overseas at the end of their visa. A worker is considered to have 'returned' if either they have been tracked out of the UK using Advanced Passenger Information (this covers all flights leaving the UK apart from within the NI/Republic of Ireland Common



Travel Area), or alternatively if they have made an asylum claim or are eligible for the Ukrainian Scheme. However, all asylum claims and those eligible for the Ukrainian scheme are not included in the matrix calculations of the 97% return rate.

If a Seasonal Worker claims asylum, they may be given leave under Section 3C of the Immigration Rules, which extends their work permission while their case is considered if the scheme operator continues to sponsor the worker. If they abscond in order to claim asylum from elsewhere, they enter the asylum system and cannot be employed, as asylum seekers cannot normally work in the UK, and therefore lose access to both work and employer-provided accommodation.

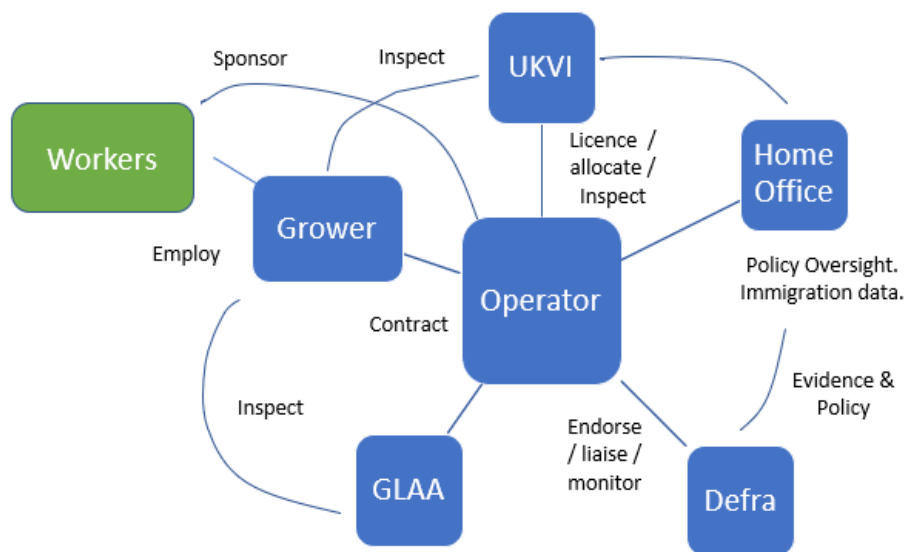
## Monitoring, compliance and enforcement

The enforcement landscape for the SWS is complicated with lots of different actors. The Independent Chief Inspector for Borders and Immigration (ICIBI) criticised this in the 2022 [Inspection of the immigration system as it relates to the agricultural sector](#) and recommended that the Home Office produce a document clarifying formal responsibilities for each department by July 2023. This recommendation was accepted, but the document has not yet been produced. However, Defra has produced a diagram (Figure 2.4 below) that summarises some of the key organisational and enforcement relationships.

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**Figure 2.4: The enforcement landscape for the Seasonal Worker Scheme**

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Source: Defra.

Prospective Seasonal Worker sponsors must be both endorsed by Defra and licensed by the GLAA before they can apply for a sponsor licence. Once a sponsor licence has been granted, organisations become an Approved Scheme Operator (ASO). ASOs must satisfy themselves as to the working and living conditions on sites they agree to supply with Seasonal Workers and must likewise ensure that

any overseas recruitment agencies they use are licensed by GLAA (including any subcontractors). GLAA is also responsible for communicating with the relevant authorities in countries of origin and working with the Foreign, Commonwealth and Development Office (FCDO) to ensure understanding of local requirements and to raise awareness of licensing.

Inspection of conditions for workers at the growers and producers is led by UKVI rather than GLAA – GLAA does not have its own inspection powers over sites, although they may accompany UKVI staff on their inspection visits. UKVI has increased enforcement in response to recommendations made in [the ICIBI report previously referenced](#): there is now a dedicated team of 14 staff solely to cover the SWS, including 6 staff who carry out site inspections. ASOs are subject to monitoring and compliance checks by the Sponsor Compliance Network (SCN), a separate team that covers sponsors for work routes more generally. Based on the work of the SCN, the Seasonal Worker Team (SWT) will maintain, suspend or revoke ASO licences. SCN visits are carried out to scheme operator offices and check the administration of the route and compliance with sponsorship guidance.

The SWT conducts visits to farms where SWS workers are employed in order to check the farms are meeting their responsibilities with regard to worker welfare, Right To Work checks, salary thresholds, relationship with ASOs, and accommodation responsibilities. The SWT reports non-compliance to the relevant ASO, who will be expected to ensure that either the farm addresses the issues or that provision of workers to the farm stops. GLAA may take action against the farm when there is a modern slavery offence occurring at a site located within England and Wales. Any failure on the part of the ASO to act on identified issues could lead to the SWT suspending or revoking their licence (to date no sanctions have been imposed on any ASO as a result of issues identified on farms). During 2023, 125 farms out of around 500 (around 25%) were visited by UKVI enforcement teams, including interviewing 1,116 migrants on the route (representing around 3.4% of Seasonal Workers). On some of these inspections UKVI staff are accompanied by GLAA staff who check safeguarding, complaints and information provisions.

Visits are scheduled immediately if intelligence suggesting serious guidance or welfare breaches is reported (by migrants or other organisations). Otherwise, visits are scheduled on the basis of frequency (not having received a visit in the previous 12 months), location or current sponsored worker numbers.

Worker rights NGOs have criticised the UK scheme because the dual roles of responding to labour market abuse and overseeing immigration enforcement are not undertaken by separate organisations (as happens in the US) on the grounds that workers may be less inclined to report potential problems if they fear their immigration status may be at risk (as we discuss in Chapter 5). In the US, for example, labour standards enforcement is the responsibility of the Department of Labor ([DOL](#)) – the Wage and Hour Division ([WHD](#)) is DOL's primary H-2A labour enforcer and covers wages, hours, underpayment, housing and transport violations. The Occupational Safety and Health Administration ([OSHA](#)) covers health and safety issues. The Department of Homeland Security ([DHS](#)) is also involved by offering discretionary protection to victims. This is separate to immigration enforcement. Immigration and Customs Enforcement ([ICE](#)) focuses on enforcing immigration laws and whether hiring paperwork is in order, etc, and removing people who are removable (if an H-2A status has been revoked or a worker

absconded etc). Citizenship and Immigration Services ([USCIS](#)), on the enforcement side, would mostly be involved with investigating fraud in the application process.

HM Revenue & Customs (HMRC), the Health and Safety Executive (HSE), Director for Labour Market Enforcement (DLME) and LPC all have responsibilities as part of their general remits, as with any workplace.

## Who comes to the UK on the Seasonal Worker Visa?

### Age

The median age of workers on the Seasonal Worker Route was 29 for the pilot in 2019, and for 2020 onwards was between 31 and 32 (see additional Table 1 in published data tables).

### Gender

There are far more men than women on the SWS (see additional table 2 in published data tables). The proportion of women has declined in recent years: it was 25% in both 2022 and 2023, compared to over 30% for each year 2019-2021.

### Countries recruited from

Tables 2.5 and 2.6 below demonstrate the changing nationality profile of the Seasonal Worker intake over time, most notably following the Russian invasion of Ukraine in February 2022. After this, men of fighting age were expected to stay in the country, which combined with the opening of additional routes by which Ukrainians could stay in the UK, meant that recruitment of Ukrainians onto the SWV dropped sharply. Recruitment from Ukraine represented the majority of SWS recruitment prior to 2021, and now represents less than 10% of the total intake. Recruitment from the Russian Federation and Belarus has disappeared.

Another factor affecting the nationality mix of Seasonal Worker cohorts is the degree to which assurance is possible over the recruitment process in countries of origin. After an initial trial in 2021 and 2022 resulted in several reports of illegal fees being paid to in-country agents, recruitment from Indonesia and Nepal has now also stopped: the Home Office [removed 1 scheme operator's licence](#) and other scheme operators have since withdrawn from these countries.

Most recruitment now comes from Central Asia (Kyrgyzstan, Tajikistan, Kazakhstan, and Uzbekistan) and Eastern Europe (Moldova and Macedonia, in addition to continuing EU recruitment from Romania and Bulgaria).

**Table 2.5: Top 10 countries and percentage of yearly total**

2019		2020		2021		2022		2023	
Ukraine	90%	Ukraine	88%	Ukraine	67%	Ukraine	21%	Kyrgyzstan	24%
Moldova, Republic of	7%	Moldova, Republic of	4%	Russian Federation	7%	Kyrgyzstan	13%	Tajikistan	17%
Russian Federation	2%	Belarus	3%	Bulgaria	4%	Uzbekistan	12%	Kazakhstan	15%
		Russian Federation	2%	Tajikistan	4%	Tajikistan	11%	Uzbekistan	13%
		Georgia	2%	Belarus	3%	Nepal	8%	Ukraine	8%
				Moldova, Republic of	3%	Kazakhstan	8%	Moldova, Republic of	7%
				Romania	2%	Moldova, Republic of	7%	Romania	3%
				Uzbekistan	2%	Indonesia	4%	Bulgaria	3%
				Nepal	2%	Romania	3%	Macedonia, The Former Yugoslav Republic of	3%
				Kazakhstan	1%	Bulgaria	3%	South Africa	1%

Source: Certificate of Sponsorship. Percentages <1% not included.

Base: Totals – 2019 (2,480); 2020 (7,067); 2021 (29,529); 2022 (34,686); 2023 (32,863).

**Table 2.6: Poultry roles split by top 5 nationalities 2021-2023**

2021		2022		2023	
Ukraine	32%	Ukraine	36%	Kyrgyzstan	17%
Bulgaria	23%	Uzbekistan	14%	Tajikistan	15%
Romania	20%	Moldova, Republic of	13%	Uzbekistan	15%
Belarus	7%	Kazakhstan	7%	Ukraine	14%
Moldova, Republic of	5%	Tajikistan	4%	Kazakhstan	12%

Source: Certificate of Sponsorship.

Base: Poultry Totals – 2021 (2,146); 2022 (16,411); 2023 (16,660).

# Chapter 3: Economic and social impacts of the Seasonal Worker Scheme

## Summary

- Economically, agriculture has a relatively limited impact on the UK. Productivity and employment are low compared to other sectors and it accounts for a small proportion of UK Gross Domestic Product (GDP). However, it plays an important role in certain, especially rural, areas.
- Despite this, the Seasonal Worker Scheme (SWS) can still have economic impacts. At a sectoral level it can affect pay and conditions, productivity, and the automation transition. More widely, it can influence consumer prices, employment in other sectors, the fiscal balance, and local businesses and communities.
- It is uncertain how much these impacts are realised in practice, partially due to a lack of data on workers and the products of the scheme, as well as information at a granular geographic level. However, it is much more likely for impacts to be felt at a sectoral level than in the UK as a whole.
- Given these uncertainties, it is important that the scheme is designed in order to encourage positive economic impacts.
- Government intervention in the sector may also be partly related to factors that are not purely economic, such as food security or its role in rural communities.

## Agriculture and the UK economy

### Role of farming in the UK economy

In 2022, the UK agriculture sector added £13.8 billion of value to the economy, 0.6% of GDP. Despite representing a relatively small part of the UK economy, agriculture's contribution is geographically uneven, with farming accounting for a more significant portion of economic activity in some areas. This is shown in Figure 3.5.

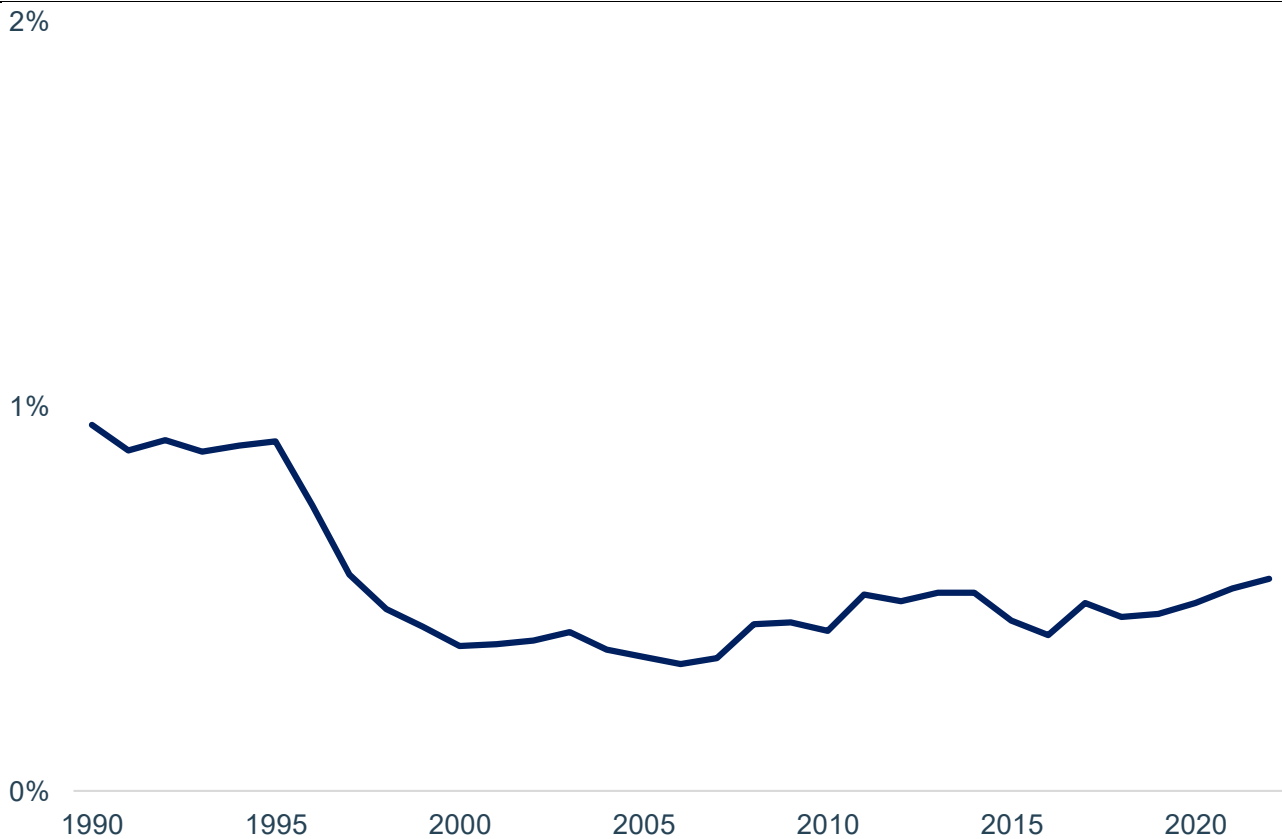
The graph below demonstrates how the value added to the economy by agriculture has changed over time, as a share of GDP. During the 1990s there was a fall in the role agriculture played in the economy as food imports rose. Contrastingly, since 2000 there has been a slight rise in the Gross Value Added (the value of output minus the value of intermediate consumption, GVA) of agriculture as a share of GDP (from 0.4% to 0.6%). Throughout the period, the relative contribution of agriculture to the UK economy has been relatively low and therefore, in purely GDP terms, a reduction in the size of the agricultural sector would not significantly impact the UK economy. In terms of GVA, agriculture, forestry and fishing is the second smallest industry within the UK economy. Here, it is important to

note, the Seasonal Worker Visa (SWV) is only available to seasonal workers within the horticulture and poultry sector, which made up 18% of the total agricultural output (GDP) in 2022.

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**Figure 3.1: Gross Value Added of Agriculture, as a percentage of GDP**

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Source: Total income from farming, Defra 2023 and Gross Domestic Product, ONS 2023.

## Economic impacts of the scheme: Sector

### Pay and conditions

The SWS can impact pay and conditions, both in the occupations included on the scheme and in the wider agriculture sector. For example, the 2022 SWS required workers to be paid £10.10 per hour, 6% above the prevailing National Living Wage (NLW). The National Farmers Union (NFU) told us that this then “could not be confined to SWS workers but in practice applied to all workers across the horticultural sector” (due to internal pay policies, the requirements of supermarket audits or simply ease), pulling up wages across the sector. However, this positive wage differential between the SWS minimum wage and the NLW (now £11.44 per hour) no longer exists.

The academic literature is also sceptical of any positive wage impacts for higher income countries (unless an appropriately higher wage rate is mandated), with [Preibisch \(2010\)](#) arguing that in agriculture “the availability of migrant labo[u]r, regardless of the mechanism under which it is made available, has had a negative effect on wage levels”. Figure 3.2 below compares the hourly pay for an



**Figure 3.2: Hourly wage comparison between Seasonal Worker Scheme workers and UK wide equivalent occupations (£ per hour)**



Source: Defra Operator data, Home Office management information, ASHE.

Note: The wider occupation salary is calculated through creating a composite wage, made up of the mean average wages according to Annual Survey of Hours and Earning (ASHE) for occupations on the Seasonal Worker Visa (SWV), weighted by the proportion they make up of the total each year. For example, if in a given year 70% of SWV workers were farm workers and 30% were in horticultural trades, the wider occupation salary would be made up of the average farm worker salary (70% weighting) and the horticultural trades salary (30% weighting). ASHE's reference date is in April, meaning that while it might capture Seasonal Worker Scheme workers employed at this point, as most seasonal workers work across a May - October summer peak, they are likely to be largely excluded from this data.

individual on the SWV with the average wage for workers (UK wide) in the same occupations (who could be working in this occupation in a variety of contexts, not only seasonal work). It shows that wages for SWS workers are not higher than the level paid for workers in those occupations generally, suggesting they cannot be bringing up wider occupational wages. This is however, by no means a perfect comparison – the sampled UK wide workers may be working in higher skilled/paid jobs within a given occupation, explaining their higher wage.

### Case Study: United States Adverse Effect Wage Rate Rule (AEWR)

During World War II, the United States (US) executed a bilateral treaty creating the ‘Bracero Program’ in response to concerns of a shortage of agricultural workers. This program approved the temporary entry of “*guestworkers*” from poor rural areas in Mexico to participate in agricultural work. It was observed that wage rates at employers that hired “*guestworkers*” became stagnant, providing evidence that this migrant labour supply was depressing the wages of native agricultural workers. This led to the creation of the AEWR in 1952, which guaranteed, in law, that guestworkers would not “*adversely affect*” the wages of US workers. The law required employers to pay at least the “*local prevailing wage*” for the specific job to migrant workers.

The AEWR is set every year and applied to the US’s temporary agriculture work visa (the H-2A visa). Any guestworkers on the H-2A program and domestic workers in corresponding employment are guaranteed the highest of the following wages:

- The AEWR;
- A prevailing wage rate, whether expressed as a piece rate or other unit of pay, for the crop activity or agricultural activity paid to the majority of workers in the geographic area;
- The agreed-upon collective bargaining wage;
- The Federal or State minimum wage; or,
- Any other wage rate the employer intends to pay workers.

Whilst there are clear benefits to the workforce in terms of improved pay, there have been criticisms in recent years of the level at which the AEWR is set.

Some countries, such as the US, closely monitor and mandate certain pay for migrant seasonal guestworkers (see case study). This protects domestic workers and limits exploitation of migrant workers by ensuring they are paid the “*market rate*”. It may also encourage earlier adoption of labour-saving technology by increasing labour costs but does lead to higher costs for firms. As set out in Chapter 2, users of the SWS are required to pay the NLW to migrant seasonal workers, currently £11.44. Introducing a policy similar to the AEWR where seasonal workers would have to be paid at least the “*prevailing wage*” (median wage for the occupation), would have raised the hourly minimum wage for seasonal workers by 8% for those employed in ‘Horticultural trades’ and 7% for ‘Farm workers’ in 2023. Given the benefits of ensuring higher pay, it is concerning that SWS wages are comfortably below the UK averages, both for the main occupations on the scheme as noted, and for the likely work being undertaken (at the 4 digit SIC code level, see Table 3.3 below). While it is true that when restricting this industry level data to only include those working as farm workers or in horticultural trades (a closer fit to seasonal workers) average wages are lower and more similar to those paid to SWV workers, sample sizes are so small in this case that it is difficult to draw any meaningful conclusions.

**Table 3.3: Average UK hourly wages for type of work undertaken by seasonal workers**

<b>4 digit SIC code description</b>	<b>Median hourly wage (2022)</b>	<b>Mean hourly wage (2022)</b>
Growing of cereals (except rice), leguminous crops and oil seeds	£11.86	£13.10
Growing of vegetables and melons, roots and tubers	£11.22	£12.94
Growing of pome fruits and stone fruits	£11.66	£13.76
Growing of other tree and bush fruits		£10.30
Packaging activities	£12.39	£15.10
<b>Seasonal Worker Scheme</b>		<b>£10.91</b>

Source: Annual Survey of Hours and Earnings (ASHE), Defra Operator data.

Note: The ASHE's reference date is in April, meaning that the survey only captures seasonal workers employed at this point.

Given most seasonal workers work across a May - October summer peak, they are likely to be largely excluded from this data.

The scheme can also impact working conditions more widely. [Constant et al., \(2012\)](#) argue that “*guestworkers*” in low-wage jobs are “*complements of native workers*”, not displacing domestic workers but instead allowing them to undertake training and move up the professional ladder. However, other evidence suggests that Temporary Migrant Worker Programmes have a negative impact on conditions. It is suggested that migrants, especially those from peripheral economies, have a different “*behavioural code*” ([Binford, 2009](#)) to local workers that means they are generally “*more willing to accept the industry's working and living conditions, and less able to contest them*” ([Preibisch, 2010](#)), although workers may still be selective when choosing between different locations. For example, seasonal workers we spoke to in Kyrgyzstan who had also worked in Russia said that the UK’s SWS compared very favourably to conditions there. The higher tolerance of poor working conditions has been linked to the fact some migrants see their situation as temporary ([Flynn and Kay, 2017](#)), a lack of knowledge of workers' rights and insufficient understanding of English ([FLEX and FMF, 2021](#)) and could also be related to a sponsorship model which means migrants do not want to complain about their employer if it risks them losing UK work rights (as we discuss in Chapter 5). These worsening conditions might then be felt across the sector. Hours worked per worker in the main occupations on the scheme may provide one indication of pressure on workers. The 2 main data sources for hours worked, the Annual Survey of Hours and Earnings (ASHE) and the Annual Population Survey (APS) both suggest that for the highest used SWV occupations (horticultural trades and farm workers) hours remain approximately same level as 2019, suggesting that the scheme has not led to undue pressure on native workers.

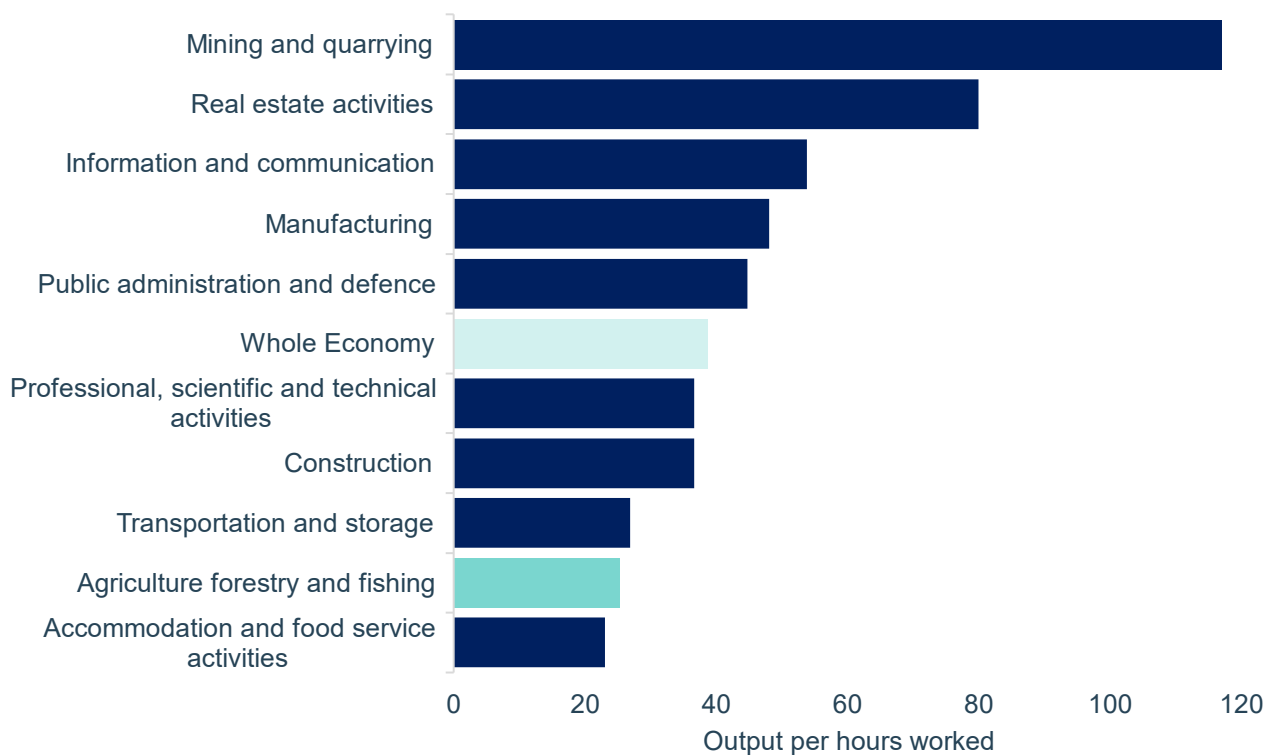
Overall, the evidence on the impact of the SWS on pay and conditions is mixed. However, because of the extent of use of the SWS it is clear that the scheme does have the potential to impact them and hence policy makers should ensure the scheme is designed to ensure this impact is positive. It is concerning that the scheme’s hourly wages are below UK wide averages, and, [as we advised in 2013](#), there are benefits to the scheme paying a higher minimum wage (limiting wage depression and worker exploitation), perhaps along the lines of US AEWRs. This would necessitate collecting better hourly

wage data in order to decide the structure of such a minimum wage (which could be set at an occupation, industry or scheme wide level), to set these levels with accuracy and monitor the impact. Working conditions should also be closely monitored (as we discuss in Chapter 5) to ensure workers are not being exploited, with implications for the domestic workforce.

### Productivity

As noted, agriculture is a low productivity sector compared to the rest of the economy. Agricultural products have a relatively low market value while hours worked in the sector are relatively high, with workers on average working for 41 hours per week compared to the economy-wide average of 32. Figure 3.4 shows that agriculture ranks poorly in output per hours worked compared against other industries.

**Figure 3.4: Labour productivity, selected industries**



Source: Total income from farming, Defra 2023 and Gross Domestic Product, ONS 2023.  
 Note: Labour productivity measured through output per hour worked, current price GBP, 2022.

However, workers arriving on the SWS may be more productive than domestic workers, due in part to their motivation to earn as much as possible over a short period, and hence raise sector productivity (or, without the visa’s workers, productivity in the sector would fall). A [review of the economy-wide evidence](#) by the MAC in 2018 concluded that while “[t]here is a lot of uncertainty about the impact of immigration on productivity... most studies conclude there is a positive impact”, with this occurring through a composition effect (whereby the productivity of the individual migrant is higher than the average, leading to an increase in average productivity) or through spillovers.

Although there is evidence that higher skilled migrants have a more positive effect on productivity at an overall economy level ([Campo et al., 2018 in MAC, 2018](#)), it is certainly possible for migrants in both high and low skilled occupations to have a positive impact at the firm level ([Costas-Fernández, 2018 in MAC, 2018](#)). Indeed, SWV workers specifically may have a positive effect on farm productivity. Their “superior work ethic” is often noted as a key reason for farmers preference for foreign seasonal workers ([Anderson and Ruhs, 2010](#); [Scott, 2015](#)) and there is anecdotal evidence of positive productivity spillovers. Scott (2015) quotes farmers who noticed clear improvements in attitude and productivity from local workers who had been working alongside Seasonal Agricultural Worker Scheme (SAWS) workers and suggested that the scheme (predecessor to the SWS) raised the bar for expected practice in the workplace. This higher productivity is likely to be the result of the time-limited nature of the scheme, and what we understand to be the aims of the workers – to earn as much as possible in a short period of time before returning home. Returning workers are also critical to these productivity improvements. Farmers told us that returnees had a better understanding of the farm and UK agriculture in general, were able to meet targets more quickly and meant less time and money had to be spent on training “significantly improv[ing] productivity levels” (Large edible horticulture user, West Midlands, Call for Evidence (CfE) response). These issues are discussed further in Chapter 4.

*“A returner is on average 40% more productive in the first 6 weeks of employment compared to a new starter”*

**Large edible horticulture user, multi-site organisation, CfE respondent**

Despite this, there are limitations to the potential productivity increases from the scheme. Seasonal workers on the visa make up a relatively small share of the agricultural workforce (around 7%), limiting the extent of the possible impact. Further, if the existence of the route disincentivises investment in automation, which is the stance set out in [Calvin et al., \(2022\)](#), then it may decrease productivity gains in the long term, with innovation and investment in physical capital important drivers of productivity. Hence, the scheme should be designed to support productivity as much as possible. Automation should be incentivised, returnees prioritised, and wages increased (encouraging automation and also potentially worker motivation and effort).

### **Automation transition**

The SWS may have an impact on the agriculture sector’s automation transition, a process of replacing labour with technology seen as key to improving the sector’s productivity and competitiveness. In general, we believe that the availability of workers is likely a disincentive to automate, as suggested by the evidence provided by Calvin et al., (2022), [Lewis \(2011\)](#) and much of the theoretical literature.

However, some farmers argue that this impact is positive. They say the scheme affords them certainty and are reluctant to invest in automation without the guarantee of enough workers provided by the scheme, and production, to make their investments worthwhile (as discussed in Chapter 1). Not knowing how long the scheme would carry on was described as a “*massive issue in terms of investing in automation*” (Large edible horticulture user, East Midlands, Revealing Reality respondent) with another farmer suggesting “*if we could get a guarantee, say, for another 5 years, then we can consider*

*looking at automation”* (Large edible horticulture user, Northern Ireland, Revealing Reality respondent). There is also the argument that the availability of workers through the scheme allows certain types of investment, e.g., in labour augmenting technologies which increase their workers productivity. One large edible horticulture farm investing in technology which augmented their packhouse workforce highlighted this as a particularly effective way to produce more, more quickly.

A large edible horticulture farm in the East Midlands reported they might invest in a new broccoli line, which would cost £5 million. This investment would mean that instead of 200 people being needed to operate the line, only 100 people would be needed. However, they stressed that there would still be a need for workers to operate the line. Without confirmation of a similar seasonal worker scheme in the next 5-10 years, it would be difficult to make this kind of capital investment.

*\*Based on Revealing Reality Interview*

Other evidence we received suggested that the scheme’s impact on automation might be limited, with the relevant technology simply not available yet (irrespective of any availability/trends in SWV labour). Some farmers felt that existing technologies were not suitably advanced to replicate the human level of skill or dexterity required for tasks such as picking mushrooms, harvesting apples, or picking and sorting of fresh produce to meet the quality standards expected by consumers and questioned whether this technology would ever be available. Smaller and specialist farms argued that commercially feasible technology for their production needs did not yet exist while more broadly, a lack of commercially available technology meant farmers were uncertain on the best/most suitable technologies to be investing in. Hence, with or without the scheme, these farmers felt automation was not possible.

*“Automation is going to require enormous investment, as in millions. The automation is in a funny place at the moment in that there’s a lot of money being spent in some countries...but nobody is sure of which is the right system to go.”*

**Large edible horticulture farm, user, Northern Ireland, Revealing Reality respondent**

Overall, the impact of the SWS on the automation transition is not entirely evident. As noted, in general we believe that the availability of workers is likely a disincentive to automate. However, we do not have clear evidence of this in the seasonal worker case, and, given the timescales required to automate in agriculture, there is a counterargument that ensuring the sustainability of the industry over the next few years could enable automation in the future when the technologies come on stream. We support the ambition of the sector and previous government to automate further, allowing productivity gains and the creation of more high skill and high-wage jobs as a long-term solution for the agricultural sector. This is likely to be achieved through government policy which provides certainty (through announcing the length of the scheme), incentivises investment through both a tapering of visa numbers and increasing worker pay over time, and provides support to farmers through appropriate funds/subsidies. This must be a careful process as there are risks in either



direction: if the quota is set too high and large numbers of Seasonal Workers arrive in the UK each year it may delay some forms of already feasible automation. If numbers are restricted too quickly, it could lead to the decline of parts of the industry that might have successfully adopted automation in a few years.

## Economic impacts of the scheme: Wider UK economy

### Supporting rural businesses/communities

Losing access to the SWS would result in the closure of some businesses. Both employers and representative organisations told us that continued production was heavily dependent on the availability of the SWS. NFU commented that *“if members were not able to use the SWV at all, many would reduce production and many would move out of production completely.”* This was reiterated in several CfE responses with farmers saying that they would cease to exist or be closed in a matter of months. While this would have a small impact on UK-wide GDP, it is likely to have a specific impact on rural areas. Agriculture is important for rural areas, especially in the rural uplands, accounting for around 15% of registered businesses and 8% of employment across all rural areas, which rises to 30% and 14% respectively in rural uplands areas.

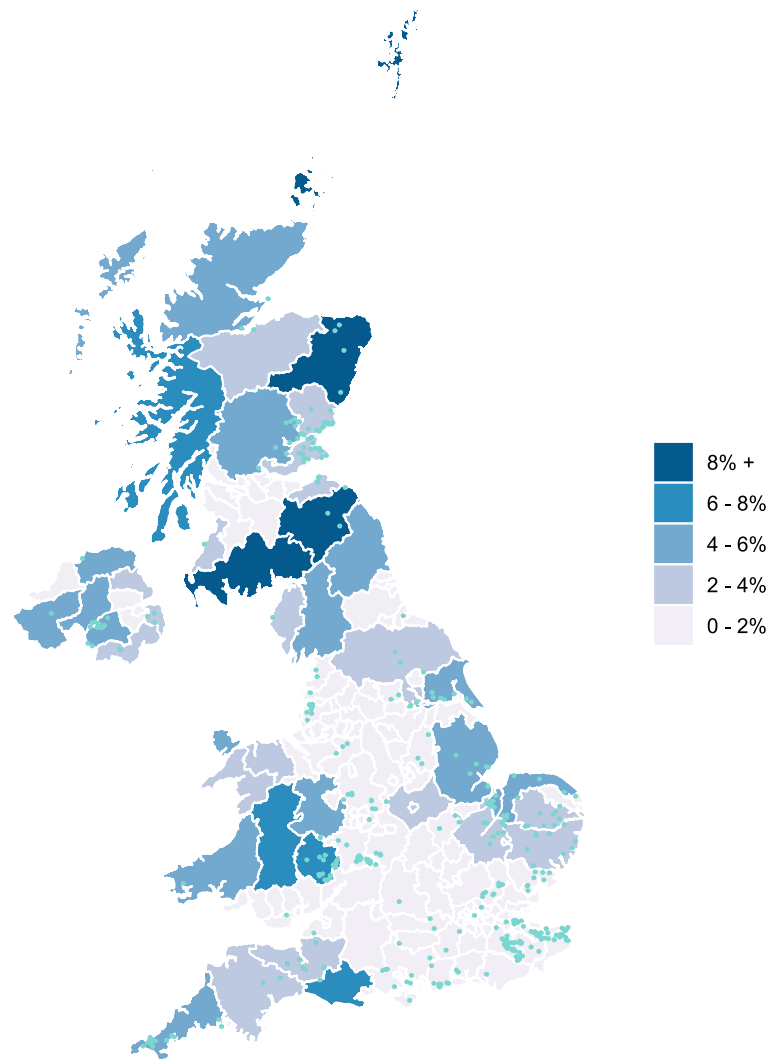
Figure 3.5 below shows the spread of farms that recruit seasonal workers through the visa route as well as the relative importance of agriculture to local (ITL3) economies, presenting a mixed picture. Having a large number of SWS farms in an area does not mean that agriculture is significant to the local economy. For example, across the South and Southeast in places such as Kent, where there are a significant number of farms that recruit through the SWV, the value added by the agricultural sector is <2% of total output. This may perhaps be unsurprising; in areas where the agriculture sector is less developed there is more likely to be a need to bring workers in from elsewhere. However, it does also suggest that was the scheme to stop, these local areas would not face grave economic consequences. Equally, there are examples of areas that both have a high reliance on agriculture and a number of farms that recruit through the SWV (Herefordshire and Aberdeenshire). It is also clear that areas on the periphery of England and the Devolved Nations are more likely to have a higher dependence on agriculture.

It should be noted that this analysis is limited in its ability to focus in on small rural communities – ITL3 regions contain between 150,000 and 800,000 people and so the economic importance of agriculture to smaller communities cannot be fully tested. An area may show a limited role for agriculture due to the presence of an economic hub like a city in one part of the region, even if the sector is important to communities in another part of the region. Further, farms’ contribution to areas is not limited to economic output and there would likely be additional social costs if there were to be closures. In 2013 for example, we heard from several partners that the presence of the seasonal workers also helps to maintain some rural services, for example bus and taxi services ([MAC, 2013](#)).

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**Figure 3.5: Locations of farms using the Seasonal Worker Scheme and economic importance of agriculture to local areas**

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Source: ONS data for agriculture GVA and GDP 2022. Location of seasonal worker farms derived from Defra Operator Data 2022.  
Note: Turquoise dots refer to farms using the Seasonal Worker Visa. Economic importance to local communities measured through the Gross Value Add of agriculture as a proportion of Gross Domestic Product, at the ITL3 level (colour scale bar).

### Supporting employment

The SWS is likely to have an impact on other jobs, both in agriculture and in related sectors. While the SWS workers are migrants, the permanent jobs within the sector are mainly filled by the local resident workforce. A medium-sized edible horticultural employer in the South East told us that without seasonal workers there would be *“the redundancies of many regular full time staff employed locally”* and another medium-sized ornamental organisation in the West Midlands stated that an extreme lack of staff would mean they would need to close the business - *“49% of our staff are UK national with*

*permanent jobs. These would be lost if the business closed.*” While many of these workers would go on to other jobs, living in rural areas may make this transition more difficult.

The scheme is, however, unlikely to have such an impact in the wider economy. The products of agriculture are not significantly used as inputs by other sectors in the economy. In 2021, the total intermediate consumption of the products of agriculture was the lowest of the products of any sector apart from ‘other services’ at approximately £28bn (the next lowest is real estate at £48bn whilst the highest is production at £750bn). This suggests that the produce of UK agriculture is not as connected to other sectors in the economy compared to other industries. Equally, agriculture has the lowest total intermediate consumption of any sector (uses the products of other sectors as input the least) £22bn compared to £33bn for ‘other services’ and £79bn for real estate.

## **Prices**

In theory, it is possible that without the SWS, prices for agricultural products may increase, with farmers likely to face higher recruitment, wage, and production costs (at least in the short term). These might be expected to translate into higher prices further along the supply chain, or a restriction in supply of British horticultural produce, meaning higher prices for consumers. Approximately 23% of agricultural produce (in £ terms) were in horticulture or poultry and hence could have made use of the scheme.

However, there is also evidence that the impact on prices, and consumers, might be limited. The final price of agricultural products is dependent on a range of factors including production, demand, imports, exports, and exchange rates. While labour availability is an important determinant of production, it does not affect the other factors. The Department for Environment, Food and Rural Affairs (Defra) [food inflation model](#) estimates that with a 10% increase in domestic labour costs, the long run (3 year) increase in food prices would be 2.3%. If the shock was limited to workers on the SWV (and not the full domestic labour force) the magnitude of this impact would be much smaller. This suggests the ultimate impact on consumer welfare is likely to be limited, with price increases potentially small enough to keep consumers spending choices unchanged or meaning individuals will just substitute for imported goods. The UK is already highly reliant on imports to meet demand for fruit and vegetables with domestic production as a percentage of total supply approximately 17% for fruit and 55% for vegetables.

## **Fiscal impacts**

The SWS has an impact on tax revenue and spending on public services, which has implications for overall fiscal balance. However, these impacts are likely to be minimal. Workers have access to some public services (such as health and transport) but do not have the same access to public funds that a UK citizen would. While most primary care is covered (as discussed in Chapter 2), secondary care (in England, Wales and Northern Ireland) is usually not free. Workers are not permitted to receive public funds (such as housing benefit, income support or Universal Credit from the UK government). Further, workers on the scheme are generally young (average age 31 in 2023) and live on a farm (95% on site)

meaning their use of health and transport services is likely to be limited. Workers are over the age of 18 and cannot bring dependants, so would not have children using the education system either.

Seasonal workers receive relatively low wages which means they will pay modest amounts of income tax. This, and the fact that they remit more means they also likely to consume less, paying less indirect taxes as they buy fewer goods and services. Some, however, may be unaware of tax rules and personal allowances, or experience difficulty reclaiming money if they have overpaid tax. This means that they may actually overpay taxes when in the UK, as we discuss in Chapter 5.

## Economic impacts of the scheme: Workers

### Workers

Participants on the scheme realise economic benefits by coming to the UK to work. As discussed in Chapter 2, they are guaranteed a minimum of 32 hours a week at £11.44 per hour (equivalent to NLW), meaning they earn more than £360 per week. Median self-reported earnings while in the UK are £8,097 amongst those responding to the 2022 Defra Seasonal Worker Survey. Whilst this may not be sufficiently appealing compensation to encourage domestic participation in seasonal work this is a significant incentive for migrant workers travelling from poorer countries. Figure 3.6 shows the average wages in the top 6 countries of origin for seasonal workers on the visa (in 2023), alongside the guaranteed minimum earnings for undertaking seasonal work in the UK, demonstrating the clear financial incentives to the scheme. Further, as we discuss in Chapter 5, many Seasonal Workers will earn above the minimum due both to working over the minimum mandated hours and incentives such as picking bonuses. Several CfE responses suggested that some workers could earn upwards of £17 per hour, and around £700 a week. As discussed in Chapter 2, they may also be provided with basic, price-capped accommodation by the farms, resulting in lower living costs, which allow seasonal workers to save more.

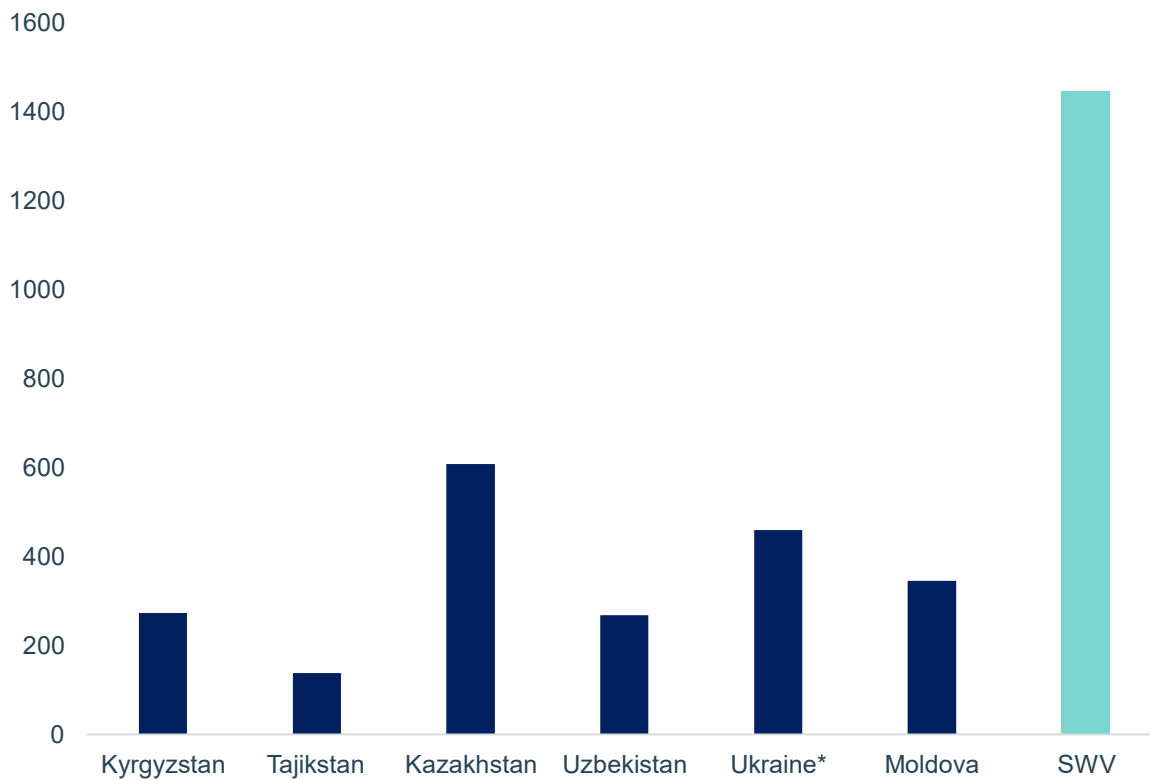
These factors combined lead to a potentially large financial benefit to seasonal workers. For example, some workers from Tajikistan and Kyrgyzstan we spoke to during site visits and at a recruitment event said that they were able to purchase houses in their home country after 1-3 seasons' work in the UK. In addition, from our CfE, we have been told about benefits beyond the financial gain for migrant seasonal workers, including experiencing a new culture, improving skills and learning a language.

*“They [Seasonal Workers] are able to learn new skills, a new language and often go home to complete their education, pay for their child’s education, build a home, or start a business. The scheme is an excellent opportunity for workers from other parts of the world to gain experience of the UK.”*

**Representative producer organisation, CfE respondent**

Whilst there are also negative aspects to seasonal work such as the working conditions and evidence that some workers do not manage to get enough work to cover the costs of participating on the scheme (we discuss this in more detail in Chapter 5 on migrant welfare), there are clear benefits. This is likely to be a factor behind the high satisfaction expressed in the [Defra 2022 seasonal worker survey](#), where almost all respondents expressed a desire to return to the UK via the Seasonal Worker route, with only 2.4% saying they would not return.

**Figure 3.6: Average monthly earnings in the top 6 sending countries of Seasonal Workers, GBP**



Source: Home Office, International Labour Organization, Central Asian Bureau for Analytical Reporting - Statistical Agency under the President of Tajikistan, Bureau of National statistics of Agency for Strategic planning and reforms of the Republic of Kazakhstan, Agency of statistics under the President of the Republic of Uzbekistan, National Statistical Committee of the Kyrgyz Republic.

Note: All data is for 2023, except Ukraine which uses 2022 data. The Seasonal Worker Visa minimum earnings is calculated using the 2023/24 National Living Wage of £10.42 per hour and the seasonal worker guaranteed hours of 32 per week.

## Social impacts of the scheme

Few social issues are created for the UK's resident population by the SWS. 95% of workers are accommodated on farm site (2022) and will spend most of their time living and working there, with limited contact to local communities (although it must be noted that at several of the sites we visited, SWS and locally sourced employees worked alongside each other). Workers do not create pressure on local housing supply, are unlikely to be heavy users of the local transport system (if it exists), nor healthcare services, with just 1 GP and 1 hospital visit per 100 workers on average in 2021.

Indeed, there may even be social benefits of the scheme. In an industry where a considerable amount of illegal working could exist, a seasonal worker scheme reduces the need to use illegal workers, where exploitation and negative social impacts would be greater. In 2002, the Cabinet Office's "Curry Commission" championed SAWS' expansion fearing that if employers could not meet their harvest labour demands through legitimate migration channels, such as SAWS, they would turn to clandestine workers (domestic benefit claimants or 'illegal' migrants).

A lack of the scheme could have severe social impacts on rural communities. Some of the larger horticultural businesses are major local employers, therefore the loss of one would have a big impact on the local area, particularly as they are more likely to be in rural areas where there are fewer other employment opportunities. Even where there is not a large horticulture business in the area, there does tend to be a clustering of smaller horticulture businesses, meaning again a significant impact at the local level of a reduction in the size of this sector. Examples of clustering of smaller businesses are in Herefordshire, East Anglia, Kent, the West Midlands and the east coast of Scotland.

The social implications of the scheme for workers while in the UK are covered in Chapter 5.

# Chapter 4: Employers and the Seasonal Worker Visa

## Summary

- There exists a longstanding relationship between employers in seasonal industries and use of migrant labour, reflecting the difficulties in sourcing domestic labour in these sectors. Employers were generally satisfied that eligible roles on the scheme enable their businesses to fulfil seasonal vacancies but reported having to *'rely heavily'* on the visa to recruit.
- Alternatives to migrant seasonal labour remain limited, as employers continue to struggle to recruit domestic workers and reported concern surrounding a declining workforce with EU Settlement Status (EUSS) in the sector. Use of automation, and ability to invest, was mixed among employers we spoke to and therefore they said that Seasonal Workers would be required for at least the foreseeable future.
- Several employers had encountered issues with practicalities of the scheme, including the visa length not matching labour demands and transfers causing inefficiency. As a result, representatives in the horticulture sector have called for a 9-month visa. Consideration of how to implement an Employer Pays Principle (EPP) on the scheme to protect vulnerable workers, with the least impact on businesses, is needed.
- Late announcements from the Home Office had impacted employers' ability to plan ahead and employers said they would like to see better communication on the scheme, calling for long-term confirmation and specific guidance and support.
- Overall, employers reported positive experiences working with scheme operators. Some large employers had expressed a desire to recruit directly, however as third party agents, scheme operators provide an important separation between workers' day-to-day employment and immigration status.
- While employers recognised compliance on the route is an important protection, they felt the current process needs streamlining between the multiple agents and Home Office.

## Introduction

In our [2022 Annual Report](#) we emphasised the impact that ending EU Freedom of Movement would have in increasing shortfalls in seasonal labour, and employers' intentions to use the Seasonal Worker Visa (SWV) as an alternative route to recruit migrant workers. Employers and representative organisations responding to our Call for Evidence (CfE) said that not being able to recruit the number of workers needed via the Seasonal Worker Scheme (SWS) would have a *"considerable impact"* on their businesses and the horticultural and poultry industries as a whole. This chapter examines how the scheme currently works for employers by considering their ability to recruit using the scheme, the



practicality of visa length, costs and organisation, and the ease of compliance with scheme rules and requirements.

## Recruiting Seasonal Workers

### Eligible job roles

Employers, and representative bodies responding to our CfE had used the SWS to recruit a wide range of roles, demonstrating the importance of Seasonal Workers across their organisations. Chapter 2 provided an overview of the Standard Occupation Classification (SOC) codes recruited for.

The roles eligible for the SWS were viewed positively by both employers and representative bodies as the most important seasonal roles including those in picking and packing were said to be covered. National Farmers' Union Scotland (NFU Scotland) reported to our CfE that 77% of employers responding to their internal survey agreed that roles covered by the scheme met their needs. Several horticulture employers said that being able to fulfil such roles was important in guaranteeing the production of food, as was set out in Chapter 1, and said that without Seasonal Workers product lines would be dropped, production would fall, or the business would become unviable. They stressed that the perishable nature of the products meant that without Seasonal Workers to pick and pack produce at the right time, food would be wasted. Poultry employers stated that support in eligible roles was crucial in responding to the Christmas peak.

*"It's because of the very nature of the product. It's a perishable product, so we need this huge influx of people. So... that's where the challenge is and why we need this overseas immigrant workforce to come and do it."*

**Large poultry organisation, user, East Anglia, Revealing Reality respondent**

The Scheme also offers support for employers in ornamental horticulture who similarly said they face seasonal peaks and produce perishables. Comparable countries such as Canada, the US, Australia and New Zealand all allow for ornamental roles to be filled by migrant seasonal labour (Chapter 1 considered the value of its inclusion on the UK scheme). In fact, looking internationally, other seasonal work schemes tend to be broader in terms of eligible occupations and industries than the UK.

Some employers had said that the scheme does not include all the roles within their organisation that they would like to recruit Seasonal Workers for. Jobs suggested by individual employers included forklift drivers, delivery drivers and roles in distribution/order processing centres (where orders for retailers are processed). For example, one poultry organisation said they used the SWS for processing and packaging roles but faced staffing issues annually during their final week of operation when they gather and deliver orders for suppliers, as they are unable to employ Seasonal Workers to meet distribution needs – a key stage of their seasonal model. However, only a few employers called for the inclusion of such roles on the scheme. Further expansion of eligible roles on the scheme may also raise exploitation and wider compliance concerns if it becomes increasingly difficult to monitor which tasks

workers are performing. It therefore seems sensible to include only those roles most crucial to agricultural and poultry industries.

*"Being more flexible to allow them to operate across all lines in food factory environments would be beneficial to all, also enabling them to be used as drivers and in other parts of our production businesses."*

**Medium edible horticulture user, Southeast England, CfE respondent**

There was also demand from certain employers and representative organisations to make management positions eligible, to enable Seasonal Workers to progress into skilled roles, or to include a progression element, allowing the most effective Seasonal Workers to stay on in the UK longer to fulfil year-round vacancies in skilled roles. Employers interviewed as part of the research said they were placing some Seasonal Workers, mostly returnees, in junior supervisory roles such as team leaders. However, several employers said they were struggling to recruit for formal management positions, such as shift supervisors, leaving year-round managerial vacancies for which demand is exacerbated seasonally. 56% of [National Farmers' Union \(NFU\)](#) members surveyed had struggled to recruit horticulture supervisors with the necessary language skills, for example. Currently it appears from employer evidence that workers with EUSS settled/pre-settled status who have progressed from junior positions are filling the majority of supervisory/managerial positions, both year-round and as seasonal support, however, this is a declining source of labour. Recent changes to the salary thresholds on the Skilled Worker (SW) visa may increase the difficulty of bridging the gap between the more entry-level Regulated Qualifications Framework (RQF) 1-2 roles covered by the SWS and RQF3 roles on the SW route, worsening this gap in middle management.

*"Our members would welcome a progression visa, where identified good workers can migrate to GB to work for a farm business in a full-time more senior role. There is a large skills and labour gap for horticulture 'middle management', and this policy would help address this challenge."*

**NFU Scotland, CfE respondent**

There is international evidence that progression is possible. The Pacific Australia Labour Mobility (PALM) scheme has short term (seasonal) placements for up to 9 months, or a multi-season placement up to 4 years with a visa condition attached which requires workers to return home for a minimum of 2 months every year. However, there are also long term (non-seasonal) placements between 1-4 years, allowing Seasonal Workers to apply to transfer from the short-term 9-month visa to a long term (up to 4-year) visa while in Australia. The [guidelines](#) state that this must be for a year-round role and at the same skill level or higher, allowing employers to obtain support in more skilled roles (including for supervisory roles not included on the [Skilled Occupation List](#)). Although not technically a progression visa the US H-2A visa classification can be extended in-country for up to 3 years (in increments of up to 1-year), after which there is a 3-month 'cooling off' period. Employers utilise these extensions to progress workers into more skilled roles, including with supervisory responsibilities, within their occupation.

While there is demand for higher skilled roles, including in middle management, allowing Seasonal Workers to take on such roles through a progression visa may risk undercutting the requirements of the SWV route such as the English language requirement and the higher skill and salary threshold. In common with many other industries, this does leave horticulture with a gap in middle management and supervisory positions. However, given that employers' demand for supervisors and managers is mostly year-round and not seasonal, and the other conditions of the route, the temporary offer for Seasonal Workers may not be the appropriate mechanism to meet this need. We suggest that, as source countries for the SWS stabilise, employers may be able to use a combination of returnee workers to fill eligible positions, combined with increased recruitment efforts with domestic and migrant populations suited to filling permanent roles. The creation of a progression route on the SWS would also extend the visa length considerably, changing the short-term nature of the route. We discuss employers' views on visa length, and the practical impacts of extending the visa, in more detail later in this chapter.

### **Recruitment of Seasonal Workers**

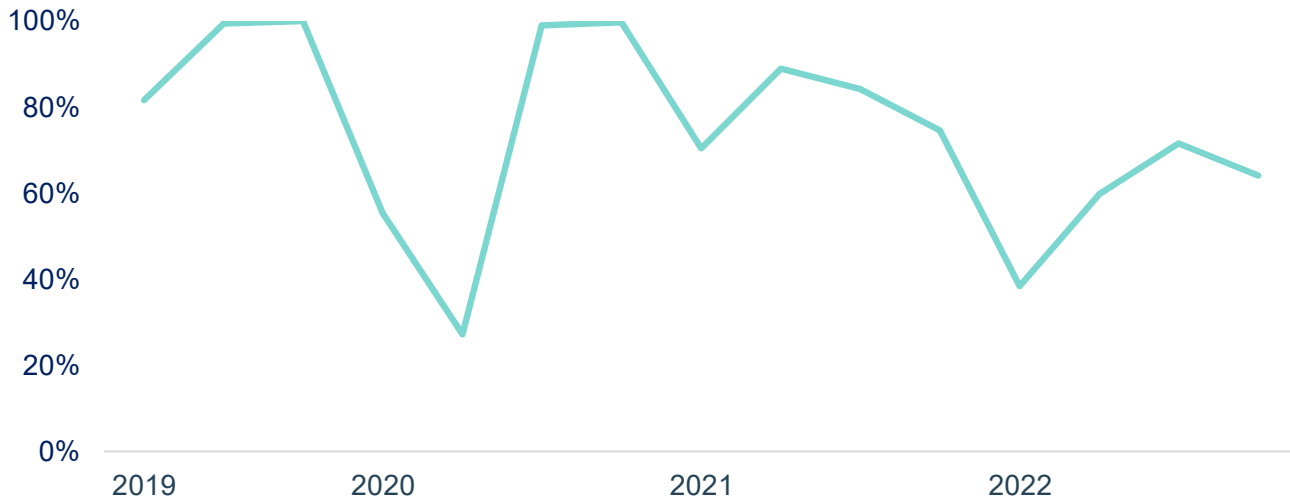
For employers spoken to as part of the research or responding to our CfE, the SWS was a key element of their recruitment strategy. CfE respondents generally reported being able to employ most, if not all, of the seasonal labour they require using the SWS. As employers and scheme operators have gained experience using the scheme, they have reported finding planning ahead and requesting workers easier, meaning that employers have been more confident that they will receive the workers requested (in turn making them less likely to request more than needed). Respondents reported that this had also been facilitated by the Home Office confirming the scheme at an earlier stage for 2023 and 2024.

There have been some organisational difficulties in recruiting from new source countries. As shown in Chapter 2, the proportion of Seasonal Workers being recruited from Central Asia has grown steadily between 2021 and 2023. Employers typically appeared open to scheme operators exploring new source countries, acknowledging that new networks can take time to set up. However, some expressed concern when scheme operators had only been able to recruit workers from countries the farm had no prior experience of working with. This was for varying reasons, including language difficulties, an element of the unknown, or a perception of there being a starker difference to the informal friends and family networks they had recruited through under FoM. 1 large ornamental horticulture farm had chosen not to use the SWS when offered Seasonal Workers from a new recruitment country, for example. As operators come to rely on an [increasing number of source countries](#) in order to meet employer demand for Seasonal Workers, the sustainability of the scheme needs consideration. The difficulty of ensuring recruitment is free of exploitation may also be greater in new markets or more distant countries, and so we recommend that a Memorandum of Understanding (MOU) is set up between the UK and each country Seasonal Workers are recruited from (see Chapter 5).

Among employers who said they had experienced difficulties obtaining the number of Seasonal Workers needed, disruptive factors (such as the war in Ukraine and the suspension of scheme operator licences) were said to be the main issue, rather than the design of the scheme itself. Other employers

had the view that delayed visa processing times had impacted them receiving full requests for Seasonal Workers or delayed their arrival. As shown in Figure 4.1 the rates of Seasonal Workers arriving to the UK as scheduled has varied since the schemes launch, with particular difficulties being experienced in 2020 and early 2022 presumably due to COVID-19 and the war in Ukraine.

**Figure 4.1: Percentage of Seasonal Workers arriving to the UK as scheduled, 2019-2022**



Source: Defra Operator Data Q2 2019-Q4 2022.

Note: Based on Seasonal Workers' scheduled arrival time on visa application.

Of the employers responding to our CfE, many said that not being able to recruit the number of Seasonal Workers they wanted would have considerable impact on their business. Employers commonly said they would have to reduce production levels to match certainty in labour supply in this scenario. The [NFU reported](#) in 2022 that 56% of members they surveyed had said they were having to reduce production levels as result of labour supply issues. One ornamental employer, visited as part of the research, reported that they had cancelled contracts with retailers because they were unable to guarantee labour. Poultry employers similarly said that poor Seasonal Worker recruitment would result in dropping product lines. While some had suggested they could explore relocating their businesses abroad, ultimately many employers felt that their business, and seasonal industries as a whole, would shut down without the SWS as a source of labour.

### Retention and Returnees

Employers responding to our CfE reported mixed levels of retention, with some saying workers had stayed the full length of their visa, and others reporting dropout rates of up to 50%. Employers reported across the CfE and interviews that those employees who had left early had done so for a wide range of reasons, including the nature of work or work available, health problems or family sickness, and having earned enough. A breakdown of 'reason for leaving' by year is shown in Figure 5.5 (Chapter

5). A few employers also reported losing workers due to employer transfers. Employers reported that many employees who chose to leave early do so during their first few weeks of employment or are dismissed at this stage due to lower productivity rates. However, scheme operators indicated that if this happens, they will try to find the worker alternative work. Certain employers also reported that numbers of workers leaving sites early increases towards the end of season as fewer working hours are available, especially if they have other commitments or leading up to Christmas when flight prices peak. High retention is desirable as workers' productivity generally increases over time, and employers want to avoid the costs of recruiting and training replacement staff or being left without a full workforce.

*"Should I not be able to recruit staff via the Seasonal workers scheme, ... There is a high possibility that the mushroom industry in N Ireland would disappear."*

**Small edible horticulture user, Northern Ireland, CfE respondent**

Evidence from representative bodies also suggests retention rates have further improved in 2023. The NFU indicated in their response to our CfE that surveyed members had reported fewer workers leaving site in 2023 versus 2022. Efforts employers said they were making to improve retention included providing decent accommodation, welfare officers and facilities such as free laundry, wi-fi and recreation areas, with many of these facilities being evident on site visits. However, it must be stressed that these efforts were not universal (see Chapter 5). Some larger employers supplied scheme operators with video of their actual tasks, accommodation and facilities, to inform Seasonal Workers at recruitment. It is important that employers promote the reduction of dropouts by informing workers, and offering good pay and conditions, rather than creating barriers to workers leaving site. For example, one employer told us they had considered recruiting workers from greater distances to the UK to reduce dropouts.

*"Given the staff turnover rates due to the short visa together with staff losses we never have a full workforce."*

**Medium edible horticulture user, Northern Ireland, CfE respondent**

Employers said the stabilisation of source countries had increased possibilities for re-recruiting Seasonal Workers as [previous fluctuations](#) in countries recruited from by scheme operators had impacted the potential for recruiting and maintaining contact with potential returnees. Employers said a high proportion of their seasonal staff under FoM had been annual returnees, and that this had been highly beneficial. Both employers and employees said that the ability to return reduced risk to both parties and maximised both productivity and earnings as several employers demonstrated through the earnings of experienced workers. Returning also increases the chance that the employee will develop language skills, knowledge of their rights, and awareness of standards to be met in accommodation etc, which may help protect against exploitation (see Chapter 5).

Of the employers responding to our CfE and participating in the research, several told us that they employed returning workers. Employers and employees generally liaised with scheme operators to request returns. Snowballing was also a method used – encouraging Seasonal Workers who knew each other to reach out to more returnees. 79% of Seasonal Workers responding to the [2021 Department for Environment, Food and Rural Affairs \(Defra\) Seasonal Workers survey](#) said they were “very likely” to return to work on farms in the UK for seasonal work. Employers who made heavy use of returnees sometimes suggested they should pay reduced administration fees for returning workers through the scheme, given – they assume – there is less work for scheme providers to do overall for these people. One difficulty reported by some employers in re-recruiting was caused by delays in visa processing, meaning workers arrived late and then missed the start of subsequent seasons because of the length of the ‘cooling off’ period. It was also reported that some workers found other jobs during their 6 months out of the UK.

*"We don't get many staff returning. Most of the staff are looking for longer term contracts and have moved to jobs elsewhere when we try to contact them again. The 6-month gap is very long ...to wait."*

**Small edible horticulture user, Northern Ireland, CfE respondent**

Seasonal Workers had reported to certain employers that the mechanism for returning needs to be clearer. We endorse current commercial practice enabling employers to request returnees and encourage all providers to make this pathway as accessible as possible for employers and Seasonal Workers. We also suggest that in the event that the schemes cap is reached, returnees are given formal priority based on their increased productivity, and to ensure the least risk of exploitation on the route.

### **Alternative recruitment**

Employers said they had used various recruitment methods alongside and outside the SWS. As shown in Chapter 1, the main alternative source of seasonal labour among both users and non-users is EU workers with settled and pre-settled status, including some regular returnees. Defra data shown in Table 1.3 (Chapter 1) supports that there is a decline in the proportion of EU workers in the agriculture, food, and fishing sector. Employers were concerned about how long this would be a possible alternative source of labour as more settled and pre-settled EU workers find permanent work and age out of physical labour. The [NFU has reported](#) that the proportion of Seasonal Workers that are EU nationals with settled/pre-settled status had fallen from 51% to approximately 33% between 2021 and 2022. As was set out in Chapter 3, this decline will likely exacerbate the need to engage the domestic workforce in lieu of other alternatives such as automation as set out in the [Independent Review into labour shortages in the food supply chain](#). The previous government’s [response](#) has called on the sector to do more to attract and retain British workers, and referenced the [Food and Drink Sector Council’s](#) Sector Attractiveness Project Group.

The employers we spoke to, however, reported largely negative experiences when trying to recruit the domestic workforce into seasonal work. Responses to our CfE and research stressed that vacancies and potential workers are not necessarily co-located: for example, one representative body noted in their CfE response that the [unemployment rate](#) is lower in regions with high numbers of seasonal work sites, such as Essex and Hertfordshire, meaning a smaller pool of potential domestic workers to recruit from. Steps employers reported they had taken to boost domestic recruitment included advertising online and on social media, connecting with local job centres and offering incentives such as increased pay and benefits, alongside travel provisions. As part of scheme compliance, employers are required to demonstrate they are advertising to UK workforce, however, most said these efforts had very limited success. Employers said that the nature of the work, including long shifts and physical labour, and conditions such as living on site/limited transport, was off-putting to domestic workers.

*“You cannot attract local labour ... people just deem agriculture as a dirty industry...”*

**Large horticulture farm, user, Northern Ireland, Revealing Reality respondent**

Of the employers who said they had domestic workers complete the recruitment process, several shared experiences of workers dropping out in the first weeks (as shown in the case study below). For example, 1 employer reported that no UK workers had stayed long enough to receive a £500 4-week retention bonus. The [‘Pick for Britain’](#) campaign to recruit British workers during the COVID-19 pandemic demonstrated the difficulty of maintaining domestic workers in seasonal roles. Whilst the campaign had initially increased the UK share of the workforce from [1% to 11%](#), this effect was not sustained; one employer CfE response confirmed that most workers they gained through this initiative left site once restrictions were lifted.

#### Case Study: Campaign yield across 5-month period for a large multi-site organisation

Recruitment	Applications	224
	Rejected after Tel interview	75
	Withdrew mid process	16
	No contact from applicant	74
	Interviews booked	59
	Interviews no-show	30
	Interviews conducted	29
	Job offers made	25
Offer	Offers rejected	6
	Offers accepted	19
Induction	No show for induction	4
	Total new starters	15
	employed 4 weeks or more	1
	Employed 8 weeks or more	0

*\*This case study is based on a response to the CfE*



The seasonal nature of the work was also said to be a barrier to recruiting domestic workers, with several employers saying that local jobseekers required long-term rather than temporary work given the likely fluctuations in Universal Credit this would cause. As a result, some employers recruited populations who were open to the seasonality of the work, including university students (for crops where harvest times coincided with holidays) and prisoners on the Release on Temporary Licence (ROTL) scheme. A number of employers had employed domestic staff permanently but said there were not enough to reduce seasonal needs. There is potential that increased automation may change the nature of current jobs and create new roles entirely, which are year-round and high skilled leading to greater engagement from the domestic workforce in the sector.

### **Reducing the need for seasonal labour**

There was recognition among employers that being entirely dependent on seasonal labour was risky, and some had as a result tried to find ways to flatten seasonal peaks. Strategies reported included:

- Freezing birds, for poultry employers by agreeing with customers (large supermarkets) to supply frozen birds, in order to spread out production – and as a result of avian influenza;
- Stopping the production of certain seasonal crops; and/or,
- Organising crops over a specific timetable to spread production over the year.

Generally, employers felt automation was not a viable substitution for labour at present or in the near future (as discussed in Chapters 1 and 3). 78% of horticulture and 79% of poultry members responding to a survey carried out by the NFU in response to our CfE did not believe automation would be available within 5 years. We saw extensive use of automation in packing and growing such as washing, packaging and watering/ventilation, but less in picking (although for some crops such as carrots and potatoes it was being used). Employers said that automation was being used where possible, however for some tasks respondents commented that it was not even in development. Automation in soft fruit and top fruit picking was especially limited in the view of employers we spoke to due to difficulty in developing mechanisation for delicate produce. As we outlined in Chapter 1, [evidence](#) does suggest that experimental technology in this area is being developed and has the potential to become more widely available if investments are properly funded. The previous government [stated](#) its intention to accelerate developments in crop harvesting where demand for Seasonal Workers is highest.

Several employers did indicate a willingness to invest in available automation, despite high unit costs, in order to reduce demand for seasonal labour, and some farms were also involved in the research and development of these processes. Some of these did note (see Chapter 3), that while automation was augmenting labour, the technology is largely assistive and not substitutive, and so they expect to need Seasonal Workers for the foreseeable future. However, others reported that they would be reluctant to invest in automation (alongside other large-scale capital investments) without confirmation of the future of the SWS, or similar. This is in line with the Defra 2022 [Automation in Horticulture review](#) which recommended that *“the length of any future schemes should ideally match the period preceding the feasible mass-adoption of automation technology”*.

Other farms were reluctant to invest in technology that was in the early stages of development as they were unsure what would be effective and return investment. Smaller organisations were more likely to say they could not resource automation, at least initially, especially those growing several different crops. The previous government [announced](#) up to £50 million in additional automation funding to facilitate employers to reduce reliance on seasonal migrant labour, and we encourage the current government to continue with investment in this area.

## Rules and requirements for employers

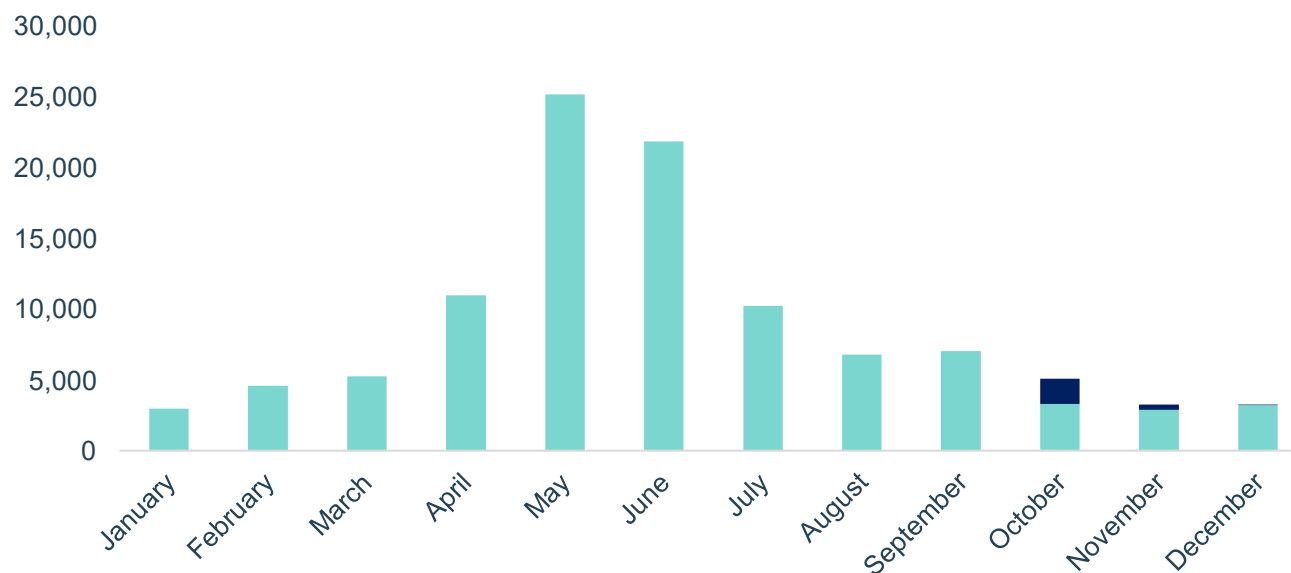
### Visa timings

Demand for labour varies greatly throughout the year in the agricultural and poultry industries due to the seasonality of produce. This is particularly the case for turkey producers and horticultural employers growing only/mainly one type of crop. As well as the amount of labour support available, the timing of this is also of extreme importance. Although most of the employers we spoke to use the SWS to cope with seasonal peaks, there were also those who used it all year round, whether because they had designed their crop scheme in this way (these employers took on cohorts of Seasonal Workers for 6 months at a time, with potentially additional Seasonal Workers for a shorter period to cover peak months), or because they grew a year-round product such as mushrooms. In response to our CfE, the peak months employers reported requiring seasonal labour were April to October, with less demand during January and February. However, some demand for the scheme was evident in every month of the year. Figure 4.2 shows the months Seasonal Workers arrived in the UK, showing that whilst the highest demand occurs during the summer months there is a base level of demand for Seasonal Workers year-round.

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**Figure 4.2: Total monthly arrivals of Seasonal Workers to the UK on the Scheme, 2019-2023**

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Source: Certificate of Sponsorship data (Home Office).  
Note: Total arrivals (106,600) since pilot launched in 2019.

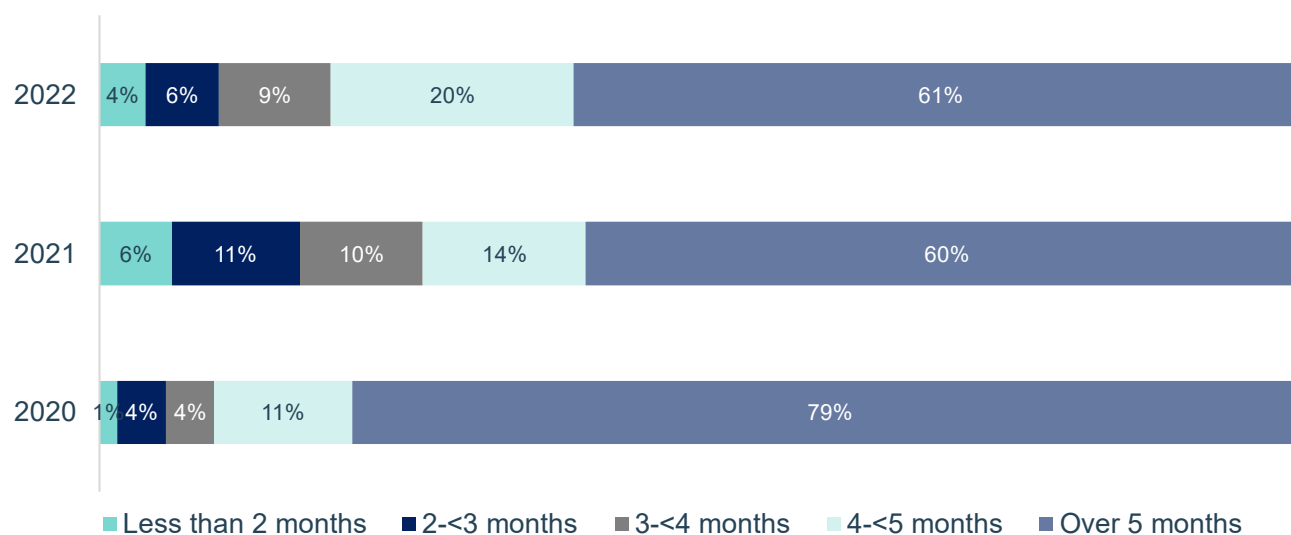
Employers and representative organisations were split between those who said the current visa length was too short, and those who felt it met their needs. Employers recruiting multiple cohorts of Seasonal Workers reported that this created additional work (as they repeated recruitment/training operations multiple times over the year) and increased planning risks as it was more likely workers would arrive late or leave site early. The visa length was also said to prevent employers from receiving maximum value from workers, given that they require many weeks (and for mushrooms around 3 months) to develop the dexterity and knowledge required for the role. The actual reported productive time gained from Seasonal Workers was usually much shorter than the visa length, especially so when workers stay less than the full 6 months. On the other hand, some employers said that the limited scheme length actually increased productivity as workers were incentivised to earn as much as possible in the 6-month period.

Figure 4.3 shows the length of time respondents to the [Defra Seasonal Workers survey](#) reported having spent in the UK on the route. For each year since the introduction of the scheme, the majority of Seasonal Workers reported having stayed in the UK for over 5 months. For 2022 over half of all Seasonal Workers (61%) had stayed for more than 5 months, but this was highest in 2020. Aggregating 2020-2022, only 4% of Seasonal Workers reported using the visa for less than 2 months. This demonstrates that employers and employees often utilise the maximum length and aligns with demand expressed by some employers and representative organisations to increase the visa length.

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**Figure 4.3: Seasonal Workers self-reported length of stay in UK, 2020-2022**

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Source: Seasonal Workers Survey results, Defra.

Note: Number of observations: 3,900 (2022); 750 (2021); 1,500 (2020).

Those requesting an increased visa length tended to specify 9 months as desirable in horticulture, although there was demand from mushroom growers for a specific scheme that could last up to 2 years. The House of Lords [Horticulture Sector Committee](#) has said that a 9-month visa would lower recruitment and training costs for growers, increase efficiency, and help to retain talent on UK farms. Employers said they would also gain higher return from training and recruitment costs. Some individual poultry sector employers indicated that a longer period would be useful to cover the rearing and processing of breeding birds in spring and early summer and support the increase in year-round frozen poultry production. An extension to 9 months would, however, weaken the key objective of the scheme of fulfilling demand for labour during seasonal peak production periods that cannot be achieved through the domestic workforce. Inclusion of poultry occupations on the SWS is especially tied into a singular demand point at Christmas. Any amendment to the scheme based on supporting extended periods of production, both in horticulture and poultry, would call into question why other industries experiencing labour supply issues are not being supported by the scheme. For example, some organisations in the fishing sector are [lobbying](#) the government to be included on the SWS and we received one response to our CfE from a fishing processing employer who argued that seasonal fishing should be eligible.

For workers, the offer of an extended visa may enable them to secure more work, especially where workers do not currently receive the full 6 months and could support them to better recoup the costs involved in coming to the UK (see Chapter 5 for more on welfare). However, not all horticulture employers can currently provide even a full 6 months' work and therefore would not be able to offer 9 months. Any extension of the scheme would therefore need to be considered against the probability

that there would be increased employee transfers between employers with shorter seasons in order to provide work across the whole period. Similarly, scheme operators have told us that they do not think they could secure 32 hours work per week for all workers over a 9-month duration given that demand fluctuates sharply. Therefore, without a minimum guarantee of weeks work, any extension of the visa may result in more workers being sent home without recuperation. Scheme operators have suggested that an extension of the visa length to 9-months would not be financially viable if they have to cover the cost of workers receiving the [required](#) 32 hours pay per week in the UK for a minimum weeks guarantee, when workers are without an employer.

If the SWV were to be longer than 6 months, the [Immigration Health Surcharge \(IHS\)](#), which applies to visas above this length, would also be payable. Both the House of Lords Review and the [Independent Review](#) suggest that employers should cover this for workers. As with other additional costs, employers expressed limited appetite/ability to pay the IHS, however, some mostly large organisations expressed willingness to do this as they felt the extra cost would be offset by potential gains in productivity and reduced recruitment fees. The IHS was [announced to be rising](#) by 66% to £1,035 in July 2023, taking effect from [February 2024](#), and this increased cost may impact employers' views on an extended visa. It was suggested that (in case of transfers or multiple placements) the IHS could be split among employers on a pro-rata basis to reduce any individual strain. However, employers requiring Seasonal Workers for 6 months or fewer may be reluctant to contribute towards additional costs. As shown in Figure 4.6, currently most workers do not transfer between employers, but this might increase if the visa was longer, meaning that a larger group of employers would need to deal with the pro-rating of IHS costs. Visas lasting 6 months or fewer, if still available alongside a 9-month option, would not attract the IHS, increasing complexity where the Seasonal Workers with the same employer present different costs.

There are a number of different approaches to restrictions on seasonal work visas among other countries (see Table 4.4). The SWS in the UK provides one of the shortest total length of stays by comparison, aside Germany, and also requires Seasonal Workers to leave for the longest period of time before return.

**Table 4.4: International comparison on Seasonal Worker Visa timings**

	Australia	Canada	Germany	New Zealand	US	Ireland*
<b>Visa/ permit length:</b>	PALM: up to 9 months.	8 months between 1 January and 15 December	90 days within a 180-day period	Up to 7 months in 11 months (9 months for citizens of Tuvalu and Kiribati)	H2-A: increments of up to 1 year, maximum of 3 years.	7 Months
<b>Cooling off:</b>	PALM: 3 months after a 9 month stay (unless transferring to a long-term visa).	Minimum 15 December to 1 January	Based on 90/180 rule.	After 11 months has elapsed since first entering NZ.	3 months, after reaching 3-year maximum stay.	5 months

Note: \*Ireland to pilot a Seasonal Employment Permit (SEP) trial using these timings in 2025.

As we set out in Chapter 2, the ‘cooling off’ period on the SWS requires workers to leave the country for a minimum of 6 months. Employers we spoke to say the ‘cooling off’ period makes the schemes timings too rigid, and that it had created an inflexibility in arrival and departure times.

**Case Study: Planning arrivals and departures around the ‘cooling off’ period**

A large vegetable and salad producer prefers to have returnee workers at the start of their season when they are busiest. Therefore, to ensure workers are not blocked to return by the requirement to spend 6 months overseas this employer had workers leave the organisation site between 2-4 weeks before the end of season. The employer then had to factor in a reduced workforce at the end of season, while the workers may have missed out on a period of earnings.

*\*This case study is based on a response to the CfE*

Employers responding to our CfE, and in interviews, said they felt the ‘cooling-off’ period was ill-suited to the nature of seasonal sectors as external factors (e.g., the weather) cause variation in the timing of seasons year-to-year. Returnees can therefore be prevented from arriving in time if a season starts earlier than the previous year. Employers also noted the impact of increased waiting times for visa applications, as shown in Figure 4.1, on following seasons because of the ‘cooling off’ period: a [visa ‘reset’](#) was made in 2023 so that SWS workers could return a month earlier in recognition of this. Employers said that increased flexibility would be beneficial going forward, and as outlined in the recruitment section of this chapter, may positively impact return rates, reducing the number of workers finding alternative work during this period. It was generally suggested among these employers that the cooling-off period should be reduced to 3 months to ensure the availability of workers from the start of the following season. While shortening the ‘cooling off’ period would allow for important flexibility on the schemes timings, it may mean Seasonal Workers are able to return within the same calendar year and by default increase their length of time in the UK. Any change to the cooling-off

period should not change the seasonal nature of the route and therefore the 6-month upper limit on length of time in the UK per year should remain alongside any reduction made.

As set out in our Recommendations Chapter we support the current visa lengths for both horticulture and poultry based on the schemes intention to respond to seasonal peak production periods, and the desire to avoid both the increased cost and administrative complexity of the IHS. Instead, we recommend that the scheme be amended to support employers needs by shortening the ‘cooling off’ period on the horticulture visa to 3 months, whilst maintaining that Seasonal Workers can come to the UK for a maximum 6-month period in a calendar year.

### **Mandatory scheme costs**

Employers pay mandatory costs on the SWS, and also choose whether to take on additional costs on behalf of employees. Views on whether the scheme delivered value for money were mixed among the employers we spoke to; some said scheme costs were a reasonable price to pay to access migrant labour, while others felt it was costly and objected to paying repeatedly across the season. Several farms reported that the cost of the scheme was significant and stressed that seasonal labour did not equate to cheap labour.

Historically employers have had issue both with the wages set by the scheme, and the timing of announcements. The NFU had criticised the [SWS wage](#) on its introduction in April 2022 (£10.10 per hour as it marked a 13.5% year-on-year wage increase and was 60p above National Living Wage (NLW) at the time). Employers also noted that the new wage announcement had only given them 6 weeks to organise the extra payments. The minimum wage on the scheme changed in April 2023 to match NLW (currently set at £11.44), which employers generally reported being happy with. Several employers reported enhanced payments, including for additional responsibility, performance bonuses and for overtime/night shifts.

*“We want to make the package as attractive as we possibly could for that five-week period... I believe it cost us about £1.7 million in wages. For 5 weeks, the cost was astronomical.”*

**Large poultry organisation, user, East of England, Revealing Reality respondent**

As we discussed in Chapter 2, different operators have different charging models, for example a single upfront fee or a weekly charge. Employers that used Seasonal Workers only for part of the 6-month visa, or lost workers due to switching and dropouts, were particularly likely to express the view that it was unfair to pay a full upfront recruitment fee rather than be charged for the time the worker was onsite. Other employers objected to having to pay repeated recruitment fees to cover longer seasons over 6 months. The Home Office does not specify the model in which scheme operators should follow when charging a recruitment fee to employers, and charging models are a commercial decision.

Several farms also reported the cost of setting up and maintaining accommodation for Seasonal Workers, and the costs of training/initial lower productivity, were high. Representative organisations and employers reported in our CfE that the true cost of accommodation was often being subsidised



even when employers charged the accommodation offset charge (£9.99 per day, or £69.93 per week); the NFU reported to our CfE this was up to 25%. In several cases, employers interviewed as part of our research had also created roles purely to recruit and support incoming Seasonal Workers, one farm we spoke to reported that this role alone cost the business about £30,000 a year.

Employers with an annual pay bill over £3 million, in common with other such businesses, are required to pay the [apprenticeship levy](#) (a 0.5% charge on businesses' annual pay bills). While only larger employer organisations will be paying this cost, some employers said they were unable to access the levy. Reasons given included lack of resource to run an apprenticeship scheme and that it would not allow them to source and train temporary labour. The apprenticeship levy can be used by employers to [provide apprenticeships from a recognised list of formal qualifications](#), many of which are at degree or diploma level and last a minimum of 12-months, and therefore do not offer the [“bite-sized learning”](#) required by a temporary labour force. The previous government introduced the [flexi-job apprenticeship](#) to support shorter, or alternative, forms of training, but the specific training needs of the agricultural sector are often [out of scope](#). We noted only a few examples of seasonal businesses utilising apprenticeships to hire for permanent roles, however it is possible that as automation in the sector increases and seasonal demand decreases, remaining roles are more skilled, allowing for an apprenticeship model.

The [Horticultural Sector Committee](#) argues that greater flexibility is needed within use of the apprenticeship levy to allow funding, or an alternative funding programme, to be used to support Seasonal Workers. The [Independent Review](#) argues that the funding should support welfare education and training schemes for Seasonal Workers. On the [PALM scheme](#) employers are able to access funding support to provide further training of temporary workers covering employability and life skills, but the UK scheme does not focus on providing personal development programmes. Whilst the previous government had [stated no current plans](#) to reform the apprenticeship levy, we suggest access to this funding for interested employers should be considered, to allow them to offer educational opportunities on the SWS, such as in English Language if they wish to do so.

### **Voluntary costs paid**

Of the organisations participating in the research or responding to our CfE some paid additional costs on behalf of workers; most commonly employees' travel in the UK, accommodation, and visa costs, although most required Seasonal Workers to be wholly or partly responsible. These employers said they had tried to increase the competitiveness of their job offers by subsidising meals, travel to site and accommodation. Poultry production employers were most likely to say they were paying large extra costs – including travel to and from the UK – to improve the attractiveness of the industry. [Focus on Labour Exploitation \(FLEX\)](#) also noted this behaviour occurring in response to the reduced earning potential on the shorter visa.

*“It was really the companies [scheme operators] we work with, it was their recommendation [to pay for travel including flights] to get good people into us, and the number that we required. They said to get these people over you want to make it as attractive as you possibly can.”*

**Large poultry organisation, user, East of England, Revealing Reality respondent. Large poultry**

## The Employer Pays Principle

Several representative organisations (particularly, although not exclusively, worker protection Non-Governmental Organisations (NGOs)), suggested in response to our CfE that an Employer Pays Principle (EPP) should be adopted on the SWS. This would create a formal requirement for employers to pay, on behalf of their employees, any recruitment fees and costs associated with workers coming to the UK on the scheme. This is in line with the [International Labour Organization \(ILO\) General Principles and Operational Guidelines for Fair Recruitment](#) and the [‘International Recruitment Integrity System \(IRIS\) standard’](#) established by the International Organisation for Migration (IOM). [FLEX](#) reported that *“scheme operators and retailers were generally open to the idea [of an EPP], dependent... that any switch would require a change in scheme rules applied by the UK government, rather than specific scheme operators deciding to do this on their own accord”*. It was also suggested that it could be phased in over time. In Chapter 5 we discuss the impact of implementing the EPP for employees, including reducing the risk of debt bondage. However, the feasibility of an EPP model for employers, who would likely face increased costs, needs consideration.

Employers and representative bodies we have spoken to suggested that businesses did not have the capacity to pay further costs. The NFU reported to our CfE that in an internal survey 32% of responding members would consider subsidising accommodation, and 28% would consider paying visa costs if necessary to ensure continued access to Seasonal Workers. However, 36% of surveyed members said they would not be able to pick up any costs. Organisations we spoke to were working to tight profit margins; [NFU estimate](#) that production costs in the horticulture industry have increased by up to 39% in January 2024 with little increase in returns from retailers. A response to our CfE suggested that implementation of an EPP on the scheme could reduce the number of Seasonal Workers that employers can afford to employ, if these costs are not shared across the supply chain.

*“It will kill our business if we need to cover some of the cost associated with the scheme.”*

**Large edible horticulture user, Southeast England, CfE respondent**

The fact that several large organisations we spoke to were covering further costs from employees as a way to gain a competitive edge in recruitment suggests that it may be feasible for some employers to contribute towards an overall EPP. Making this a formal requirement for all employers could, however, have consequences for certain employers’ use of the scheme. Some small non-users indicated that the cost of the scheme had already influenced them not to participate, requiring employers to pay higher costs may further discourage smaller businesses from using the scheme and may make access to seasonal labour unviable for some employers. One employer commented that paying additional costs above wages and the recruitment fee was unfair as they do not have to do so for British workers, however it is important to recognise that Seasonal Workers face higher costs to take up employment in the UK than domestic workers and it may be necessary to compensate them.

Several schemes in other countries contain elements of the EPP, suggesting that offering a basic level of security for workers coming to the UK may be possible to avoid employees absorbing huge costs and risks. In the PALM scheme employers pay for the worker's accommodation and transport where they have been offered work which is less than 20 hours per week. In New Zealand, employers contribute to employees' travel costs, both to get to the country and for onward travel to the work site. In the US, under the H-2A visa classification, employers are required to provide, among other requirements, inbound and outbound transportation and subsistence, workers' compensation insurance coverage, meals, and housing. Deductions from worker pay for recruitment, travel, and housing costs are not permitted, although other deductions can be made if disclosed to the worker and reasonable (meaning they do not include a profit to the employer or any affiliated person and are not primarily for the benefit or convenience of the employer).

It is possible that any increase in the cost of recruiting Seasonal Workers as a result of an EPP would raise prices, and concerns were expressed that supermarkets would not pay the increased costs of produce. The [British Retail Consortium](#) (BRC) have suggested that the EPP model could be implemented if costs were shared along the full length of the supply chain, including supermarkets. This would not necessarily mitigate the risk of retailers moving to cheaper imports as consumer costs increase, however, one retailer told [FLEX](#) they believe the increased price of British produce could be justified to consumers by explaining that workers were being fairly compensated for their work, as has been done in Fair Trade initiatives. In May 2024 various civil society groups addressed the 9 big supermarkets in the UK in an [open letter](#) to call for the introduction of the EPP across their supply chains including on the SWS; in response all 9 supermarkets endorsed the EPP in principle.

[Recent changes](#) to the SEDEX Members Ethical Trade Audit (SMETA) (a standard widely used by retailers to ensure labour rights, health and safety, environmental impact and business ethics are managed in their supply chain) will require signed-up employers in UK farming to pay for the recruitment and transportation fees of Seasonal Workers they employ. The NFU has [called for a halt](#) to such changes to allow for industry consultation, an assessment of the impacts and standards for fair implementation. The previous government had [made clear](#) its commitment to investigating use of the EPP. Defra is working with the [SWS Taskforce](#) (composed of 50 members across a range of industry, retailer and non-profit stakeholders), to research and provide economic modelling on the '*potential impacts [of an EPP] across the supply chain, as well as on consumers and workers*' by [summer 2024](#).

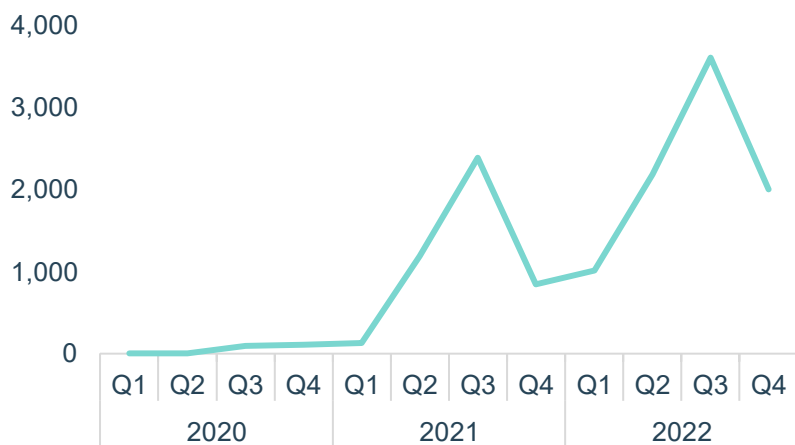
We support further work to investigate how an EPP might work in practice for workers, employers and consumers, and how the associated costs could and should be shared along the supply chain. To ensure progress on this issue is achieved, we recommend that a deadline for the conclusion of investigations into the EPP is set, and that in turn rolling continuation of the scheme past this point is only confirmed once there is sector-wide agreement on an EPP proposal (see Chapter 6). In the meantime, we have recommended that employees should be protected against the situation that they cannot recoup their initial costs by being guaranteed at least 2 months' work (or the minimum 32 hours per week pay for this period if work cannot be provided). Any future introduction of an EPP on the route may remove the need for such a guarantee.

## Employee transfers

As discussed in Chapter 2, employees have the right to switch employer during their visa. Employers we spoke to generally understood the need for the provision as a protection against bonded labour. Some who had shorter or later seasons commented that the ability for employees to transfer was also crucial to them, as it enabled them to recruit labour despite not requiring workers for the full visa period.

Figure 4.5 shows the rate of total employee transfers occurring on the scheme per quarter and table 4.6 shows the percentage of transfers per year. Total transfers have grown year on year to 2022 and most transfers occur during quarter 3 each year, suggesting that the main factor driving transfers is seasonality, whereby employees transfer at the end of the summer peak to employers with more work. Although individual employers said they had experienced high numbers of employee-requested transfers 2022 had been circumstantially high due to a number of late arrivals and the war in Ukraine.

**Figure 4.5: Seasonal Worker Total Transfers, 2020-2022**



Source: Defra Operator Data Q1 2020- Q4 2022.

Note: Total number of transfers: 200 (2020); 4,500 (2021); 8,800 (2022).

**Table 4.6: Transfers as a percentage of Seasonal Workers, 2020-2022**

Year	Percentage
2020	3%
2021	15%
2022	26%

Source: Defra Operator Data 2020 – 2022, published Visa Stats.

Note: Transfers shown as a percentage of the total number of Seasonal Workers per year: 7,200 (2020); 29,600 (2021); 34,500 (2022).

Among poultry employers the suggestion was made that it would be beneficial to enable employees to switch between horticulture and poultry roles to provide better access to workers, for example moving from autumn fruit to poultry, or from poultry to winter horticultural tasks, as had been possible under FoM. Operational reasons mean that it would be difficult for people to move from poultry to horticulture: the visas have separate quotas, the poultry visa has a specific time period, and some poultry occupations have a different pay structure based on the SWV, meaning compliance would be hard to monitor. This would also be of limited use as only one scheme provider covers both poultry and horticulture. The previous government has also [stated](#) that the visas will remain separate.

*“There's plenty of people that come in on the horticultural scheme on six-month visas who are still here in December.... Why don't you let them swap over in December or November to poultry?”*

**Small poultry organisation, user, Southeast England, Revealing Reality respondent**

Employers we spoke to typically agreed that transfers are easy to arrange from their perspective (although this was not a view shared by all employees: see Chapter 5). Those who had experienced large numbers of employee-requested transfers mid-season said that this could cause problems in workforce planning, staff shortages, and loss of productivity owing to the need to process transfers and train new staff. Employers also reported workers appearing on site unannounced or workers requesting family and friends join them. This was said to be potentially difficult to accommodate, especially if workers were under contract with different operators.

Employers said that transfers were more frustrating when they perceived the reasoning to be “*minor*” or “*social*”. The network of communication between Seasonal Workers was said to mean that workers chased the locations offering the highest number of hours in that particular week. Employers from Northern Ireland said workers frequently requested transfers to sites based in the mainland UK. These employers said such reasons should be foreseen by workers/scheme operators, and as employers are unable to deny a granted transfer request, some called for the criteria for switching to be tightened. While the transfer system can be logistically difficult for employers, it is important in providing a competitive market where workers can choose where to go, including based on hours available.

A small number of employers expressed concern about scheme operators’ role in the transfer process, given the potential to charge multiple recruitment fees without offering a refund or reduction to the employer who had lost the worker. To lessen the cost burden on employers, some suggested recruitment costs be split across employers who share employees, or that the new employer should pay. In Chapter 5 we discuss the difficulties employees have when trying to access transfers.

### Case Study: Employer transfers and the recruitment fee

One employer experienced having to pay the recruitment fee multiple times as a result of employee transfers. They reported that one worker from [scheme provider] had stayed for 2 or 3 months and then transferred to another farm, because they could not offer much more work than 32 hours per week. The agency charged the new farm £280 when the worker transferred. However, the worker was only at the new site for 6 weeks and when the worker returned the employer was then charged another recruitment fee. (It should be noted that this farm explicitly stated that they did not want to keep employees onsite who did not wish to be there).

*\*This case study is based on fieldwork from Revealing Reality*

### Other rules

**Hours:** Several employers have said that the requirement to provide a minimum of 32 hours pay per week (slightly more than in comparable countries) does not align with the variability of work. Certain employers noted issues matching work available and minimum hours they must pay for, and as a result have had to pay employees for work that did not exist. This was especially true at the start of the season and when weather impacted crops. As a result, these employers wanted more flexibility.

[Guidance](#) permits some averaging of hours within pay periods, e.g., fortnightly or monthly and therefore employers who had a longer pay period were better able to match working hours with demand for labour. Several employers also said they provided between 40-45 hours per week across the season and that this rule did not impact their pay calculations, however, there was little support for increasing the minimum. As a positive, certain employers expressed that the hours requirement had made them more conscious of the number of workers they recruit. It therefore appears this rule is sensible in supporting workers to secure minimum guaranteed pay (see Chapter 5) and promoting responsible use of migrant labour among employers on the route.

**Financial conditions:** In common with other work visa routes, in order to support themselves in the UK Seasonal Workers must demonstrate they have £1,250 in personal savings or have this underwritten by scheme operators (see Chapter 2). While employers did report that in practise, they work with scheme operators to underwrite this requirement, several employers were not aware that financial conditions were in place or that scheme operators can certify that they will support workers for the first month. Therefore, where instances of workers arriving with little or no money occurred, employers were confused as to who was answerable in these cases and often took on responsibility for providing money or food. Employers who were aware of the personal savings requirement felt the amount was unnecessarily high given that workers were largely living onsite and only needed necessities. As set out in Chapter 5, we think as best practise employees could be offered a small advance on wages.

**Age and Dependants:** The minimum age set for Seasonal Workers is 18 and the route does not allow dependants. Both these rules were generally viewed positively. Many sites do not allow under-18s because of the presence of heavy machinery and farm traffic, and others commented that



accommodation for dependants, particularly children, would be a problem. While some couples and families do come to the UK together, each adult applies as an individual. In Australia, a family accompaniment program is being piloted to allow the spouse and dependants of 200 workers on the long-term PALM workers to apply to accompany the PALM worker to Australia in attempt to address the social impacts of long-term family separation. Given the UK scheme is short-term, it is unnecessary to provide a similar initiative.

**English Language:** It was mainly agreed among employers we spoke to that the rule requiring no specific level of English language was pragmatic, considering the potential impact of any formal requirement on cost and recruitment lead times. Employers accepted the need to work around the language barrier, although there was some agreement that workers being able to speak some level of English – or a common language – was useful in practice. We support the principle that there should not be a specific English language requirement, dependent on translated documents being provided to all incoming Seasonal Workers (see Chapter 6). Many employers visited as part of the research were providing these, although it is clear from other evidence that this is not universal (see Chapter 5).

## Organisation and communication on the scheme

### The Home Office

Several of the employers and representative organisations responding to our CfE or participating in the research stated that late announcements on the route (as discussed in Chapter 2) had previously had a negative impact on their experience of the scheme. Confirming visa allocations in December was said to have made it extremely difficult for employers to plan their workforce for the following season, particularly for organisations with early seasons between January and March. Sudden changes to the rules were also said to be hard to plan around, including the unexpected cost of increased wages and need to match recruitment to available work as a result of the introduction of 32 hours per week mandatory pay. Representative organisations said that rule changes impacting the following season should ideally be made by June the previous year and we support the notion that government where possible should seek to make announcements on the scheme to this deadline.

*“Far too late making announcements and decisions regarding the scheme. Decisions that have huge impacts on our business. i.e. decision to increase wage to £10.10,... giving 6 weeks’ notice of a decision that cost us £3m that year.”*

**Large edible horticulture user, West Midlands, CFE respondent**

In 2023, visa numbers were issued earlier, and scheme operators, employers and representative organisations all said this had improved employers’ ability to plan ahead. The position for employers in 2024 was also clearer as numbers were confirmed by the previous government in May 2023 at the [Food to Fork summit](#). Several employers said uncertainty surrounding the scheme availability has increased anxiety about the future of their business. As Chapter 3 discussed, some also said that this made it difficult to commit capital investment towards improvements. The [Independent Review](#) has



advised that confirmation of the scheme beyond 2024 should come as soon as possible, and we therefore welcome [confirmation](#) of the scheme until 2029. Consensus among those we have spoken to does, however, suggest a rolling 5-year confirmation would be more beneficial in providing the ongoing certainty employers require. In our recommendations we support that a rolling 5-year scheme is necessary, whereby the scheme is confirmed each year for the following 5 years.

*"We need greater transparency for the future plans of the visa scheme."*

**Medium edible horticulture user, West Midlands, CFE respondent**

The previous government also announced that numbers will be tapered during the period leading up to 2029. Whilst we believe in general that a reduction in workers available incentivises employers to implement further automation, this is not proved with Seasonal Workers and the timescales required to automate in agriculture may make it necessary to sustain the industry through migrant labour in the period before technologies are fully realised. Reduced access to alternative EU workers and those on Ukrainian visas in the next few years may also mean that more, rather than fewer, SWV holders are needed to maintain the current workforce (see Chapters 1 and 3). Therefore, the government must be mindful of the risks in either direction: allowing large numbers of Seasonal Workers might delay some forms of already-feasible automation, however if numbers are restricted too quickly, it could lead to the decline of parts of the industry that might have successfully adopted automation in time. The [Horticulture Sector Committee](#) has called for the government to publish a workforce plan for the next 5, 10 and 20 years, and we encourage the government to provide the rationale and methodology for calculating quotas as they are announced past 2025. Confirmation of these quotas must also provide sufficient notice to employers.

Representative bodies and other organisations commented that the roles and responsibilities of Defra and the Home Office regarding the route are still unclear, and that members were confused as to the remit of each department and who to approach when issues arise. They also identified gaps in accountability for decision making and monitoring on the scheme and said that clarification of these responsibilities would improve information and support on the scheme. Employers we spoke to also called for the government to provide specific direction on how to manage their employees' pension and income tax contributions. Several employers demonstrated that they provide introductory information on these issues through presentations and the [Good Work App](#) but have felt conflicted as they cannot action requests and are unable to support workers to gain rebates once abroad. The [SWS Taskforce](#) has taken steps to produce resources to support employers navigating complicated scheme rules and the pay and benefit system, however this should not be down to the industry to produce.

Similarly, employers said that a [previous operator licence removal](#) was sudden and that communication was lacking leading up to removal. Many were unsure of why it had happened or what to do without sponsors for their workers, and wanted clarification on employees' and their businesses rights under UK labour law if licence removal occurs again. This was also of key interest to Kyrgyz government officials we spoke to. Concerns have been raised about the suspension process more broadly given that suspension is immediate and can only be appealed after the suspension has come

into force, impacting workers (who have paid the application fee, or have actually arrived in the UK), employers (who lose access to workers they had been expecting) and scheme operators. We share these concerns and suggest government should facilitate the rapid transfer of these contracts to another scheme operator. Closer alignment of audit and reporting processes will facilitate this.

Many employers felt overall that organisational issues occurring on the SWS were rooted in a lack of understanding between Home Office and seasonal sectors. This perception was expressed as a complaint that there had been little to no consultation with employers and unions. We discuss the need for further guidance to support employees in Chapter 5.

*“There has been no engagement from the Home Office either directly with growers or with trade bodies (NFU). We do communicate regularly with Defra.”*

**Large edible horticulture user, multi-site organisation, CfE respondent**

## Scheme Operators

Scheme operators were thought to have been efficient at organising the scheme overall, with individual employers reporting effective communication, finding workers required and flexibility on timings. Although reported experiences of service quality varied, this was not to any clear pattern: some employers reported bad experiences with the same operators that others were very happy with. Some employers had relationships with multiple operators to ensure they were supplied with labour.

One factor that appeared to affect reported experience was organisation size: some large employers reported being able to be extremely specific in their requests for workers. For example, one large horticulture farm in the West Midlands requesting hundreds of Seasonal Workers each year requests couples so they can use their accommodation more efficiently. In comparison, individual smaller employers expressed a view that scheme operators had been less interested in working with them and had been met with poor responsiveness. For example, one small horticulture farm reported that one operator had not responded and another provider did not return their calls after an initially positive conversation. Several scheme operators have reported to us that they have happily recruited for employer organisations who had only one or two Seasonal Workers on site.

*“I tried ringing up [scheme provider] and never got through to anyone.”*

**Small horticulture farm, non-user, East of England, Revealing Reality respondent**

*“Good communication and support.”*

**Large poultry user, East of England, CfE respondent**

For users who were dissatisfied, an important factor was the perceived quality of recruitment and workers. These employers said workers were not performing as well as previous cohorts sourced through FoM and the tier 5 visa. Employers suggested that this was due to poor vetting, screening, and

interviewing by scheme operators and a lack of knowledge about the job, resulting in operators selecting unsuitable and unprepared candidates. We found, however, that the presentation we attended in Kyrgyzstan was very clear about the nature of the work and conditions involved, and that many of the workers we spoke to had prior experience of the SWS. There were also complaints from some employers about a lack of information on workers' background and experience prior to arrival, which they said made matching workers to jobs difficult. For non-users, this also caused concerns about whether Seasonal Workers would fit with their organisations. Scheme operators could allay these concerns by providing more information to employers in advance. Other issues noted among employers were scheme operators not providing the number of workers they had requested, and unexpectedly receiving workers who did not have a full 6-month visa remaining.

*"Scheme providers do not understand the needs or company when hiring staff. They just want to fulfil the order, thus resulting in a mismatch of staff."*

**Medium edible horticulture user, Northern Ireland, CfE respondent**

Some employers had become further involved in the process, whether because of concerns or at the request of operators. Several larger employers we spoke to had attended recruitment fairs, sent video footage, and interviewed potential candidates to ensure they received well-prepared workers that were a good fit. Some appreciated this but others said it created duplication of work and communication. Employers who had previously held a Seasonal Agricultural Workers Scheme (SAWS) sponsor licence often said that scheme operators were an unnecessary link in the labour chain and prevented them getting to know their workers during recruitment. Consequently, large employers often said they would prefer to conduct direct recruitment. Some representative organisations and larger employers suggested that direct recruitment would lower employers' costs: one estimation predicted that direct recruitment would cost £80 (less than a third of the typical upfront cost otherwise charged) per Seasonal Worker.

*"I want to be able to recruit directly. I want to be able to look at people and say, 'Are they good enough?'"*

**Small horticulture farm, non-user, Cambridgeshire, Revealing Reality respondent**

Some larger employers who responded to our CfE suggested that direct recruitment by Gangmasters and Labour Abuse Authority (GLAA)-licensed growers would reduce risk of modern slavery by cutting down the number of actors in the recruitment chain; other countries like Germany offer the opportunity for employers to recruit workers independently, alongside through International Services (ZAV) within the Federal Employment Agency (BA). Whilst we believe that employee protection on the SWS is currently imperfect, the existing scheme operator system does provide important separation between the day-to-day employer and an individual's source of permission to stay in the UK. Direct recruitment also risks removing access to employer transfers as is currently in place. The high-risk

nature of the SWS, involving language barriers and rural locality, makes a direct recruitment model risky.

### **Demonstrating compliance**

Employers understood the need for complying with the requirements of the route and it was felt that compliance, and finding further information, was generally not difficult. However, among the few employers who had experienced problems it was felt that it was not always clear who was responsible for compliance and had struggled to identify who to approach with issues, especially between government departments (as outlined above). Employers said that access to support services needs to be simplified (suggesting a single helpline) and available at all times including weekends and bank holidays.

*"The requirements for the employment of Scheme employees seems to be well thought out."*

**Medium edible horticulture user, West Midlands, CfE respondent**

The process of demonstrating compliance was felt to be lengthy and complicated by several employers we spoke to. For example, reporting working hours has placed strain on employers, especially smaller organisations. A number of employers said that they had to demonstrate compliance with Home Office, scheme operator and retail audit requirements, all of which appear to require different yet similar information and paperwork, with some operators' differing criteria and requirements being difficult to understand. One employer reported during fieldwork that they had been visited 6 times by Home Office, and had 50 days of external auditing, in the past year. Several employers have called for a more streamlined process, further discussion on compliance and the potential for a single enforcement body is covered in Chapter 5.

# Chapter 5: Migrant welfare

## Summary

- Migrant welfare of Seasonal Worker Visa (SWV) holders concerns all aspects of their recruitment and life in the UK (in and out of work). This chapter examines: recruitment overseas; costs paid before starting work; transfers; the work and tasks carried out; dropouts, dismissals, early leavers; English language; complaints process; pay and hours; and accommodation.
- Seasonal Workers are vulnerable as agriculture is a high-risk sector for non-compliance, health and safety issues, and exploitation. In addition, their migration status can put them at additional risk, in particular because of the Seasonal Worker Scheme (SWS) being a temporary, short-term visa scheme in rural areas which usually relies on the employer for accommodation.
- There are risks throughout the process, from the time before workers come to the UK during the recruitment process and until they leave.
- Nevertheless, reported levels of satisfaction with the scheme are very high and most workers surveyed state that they would return.
- The enforcement and compliance process involves many bodies, lacks clarity and resourcing.
- The sector has also developed, or is working on, various initiatives to help alleviate welfare issues raised.

## Introduction

### What do we mean by migrant welfare?

In this chapter, migrant welfare for those on the SWV is defined as concerning all aspects of their recruitment and their life in the UK (in and outside work), including recruitment; costs paid overseas and in the UK; wages and hours; treatment at work; accommodation; access to facilities; health and safety and access to medical treatment; making complaints; and how welfare requirements are enforced. We use the same definition of exploitation as we used in our [2022 Annual Report](#): situations where individual employers are benefiting from workers in a way that is not compliant with their labour rights or general labour market standards. As the Director of Labour Market Exploitation (DLME) notes, [exploitation covers a spectrum of severity](#). If migrant welfare needs are not met then there is the potential for the worker to be unhappy, for exploitative situations, and a lack of freedom to move out of the situation given the upfront investment made by workers. Importing produce is not necessarily the answer either – Professor Winter of the University of Exeter told us that *"If we allow our horticulture to decline still further and rely even more on imports, we risk merely exporting our responsibility for problems associated with the sector. In other words, we might feel the living and*

*working conditions for some seasonal workers are unacceptable but if we import as cheaply as we can we run the risk of importing from places where the conditions are just as bad."*

## Why are Seasonal Workers vulnerable?

### High-risk sector

The [DLME](#) has consistently identified agriculture as a high-risk sector for labour market non-compliance. The [Independent Chief Inspector of Borders and Immigration \(ICIBI\)](#) has also identified the agriculture sector as a high-risk sector. In part this is because of the vulnerability of workers. Having tight immigration restrictions (such as temporary work visas like the SWS), in addition to being in a high-risk sector, can compound vulnerabilities "*compelling them into coercive working relationships and eroding their ability to negotiate decent work*" ([Focus on Labour Exploitation \(FLEX\), 2023](#)). The Health and Safety Executive (HSE) also classes [agriculture as having a high risk to health](#) due to the nature of the work. Fatal injury (in the agriculture, forestry and fishing sector as a whole) is [21 times higher](#) than the all-industries rate and non-fatal injury is statistically significantly higher.

Following the [2019 joint Department for Environment, Food and Rural Affairs \(Defra\) and Home Office review](#) of the scheme, [the Home Office](#) updated guidance to recognise the high risk nature of the seasonal work and the risk of exploitation. As a result, route requirements not only focus on immigration compliance, but also worker welfare across various dimensions.

There have been reports of potential modern slavery as well as forced labour and exploitation on this scheme ([The Independent, 2023](#); [The Independent, 2024](#); [The Bureau of Investigative Journalism, 2022](#); [The Bureau of Investigative Journalism, 2024](#); [letter from United Nations special rapporteurs, 2024](#); [The Financial Times, 2022](#); [The Financial Times, 2023](#)).

### Migrants as a vulnerable group

A number of studies and models identify migrants as a vulnerable group due to situational, structural, and/or personal/protected characteristics ([Labour Exploitation Advisory Group \(LEAG\), 2023](#); [MAC, 2022](#); [International Organisation for Migration \(IOM\)](#)). The [International Labour Organisation \(ILO\)](#), the IOM through their initiative International Recruitment Integrity System ([IRIS](#)), and the Institute for Human Rights and Business's [Dhaka Principles](#) have all laid out principles for ethical recruitment of migrant workers. The Council of the European Union (EU) and the European Parliament have made a decision to [ban products](#) (both imported and exported) on the EU market which have been made with forced labour (including debt bondage) anywhere across the supply chain from 2027 – including from the UK if evidence of coerced labour was found to be taking place.

Risk factors specific to the SWV include: being temporary and short-term; based rurally using employer-provided accommodation; lack of clarity on enforcement responsibilities; lack of migrant knowledge about their rights; and lack of English language. Seasonal Workers, typically from comparatively poor countries, pay high, front-loaded costs for visas and travel, creating an imperative to earn this money back.

Other countries face similar issues. For example, the [New Zealand review](#) on Recognised Seasonal Employers (RSE) “*established that there are areas where significant fractures have developed, leading to substandard outcomes for worker wellbeing throughout the scheme*”. Some migrants may also have [additional risks based on personal/protected characteristics](#) such as ethnicity, gender or health status.

## Exploring specific welfare factors

We are aware that many employers value the output of seasonal workers highly, and efforts to safeguard migrant welfare were evident at several of the sites visited. As we discussed in Chapter 4, returnees are particularly valuable to employers and hence they have a business interest in ensuring workers will wish to come back. We also spoke to several Seasonal Workers who were happy with their work, pay, treatment and conditions.

However, we also identified some examples of poor treatment or exploitation in every strand of the work we carried out and evidence of this can also be seen in responses to the [Defra Seasonal Workers survey](#). As noted earlier, the Defra Seasonal Workers survey is disseminated online to Seasonal Workers by the scheme operators. Workers may choose whether to complete this survey and the results are not weighted, so consequently it may not be fully representative of the population. Other research and voices in this area including the [2019 Seasonal Worker pilot review](#) and the House of Lords '[Sowing the Seeds](#)' report highlight potential or apparent welfare issues.

### Recruitment overseas

As set out in Chapter 2, scheme operators may subcontract recruitment to partners (who must be licensed independently by the Gangmasters and Labour Abuse Authority (GLAA)) in source countries or to a UK based business. The hiring process of Seasonal Workers, including the choice of source countries and the potential for recruitment fees (which are illegal in the UK) to be charged there, represent a particular risk to workers. The previous Independent Anti-Slavery Commissioner suggested that the long distances involved in SWS recruitment [can increase the difficulty of scrutinising](#) recruiters.

High recruitment fees can lead to debt bondage and coercion because of the need to make sure they are repaid and, as we discuss later, fees are often borrowed upfront. Neither scheme operators nor other agencies are allowed to charge recruitment fees to workers, but there have been previous reports of Seasonal Workers paying these to rogue agents, particularly in Nepal and Indonesia ([Financial Times, 2023](#)). The amounts involved can be large: one case quoted in this article was of an Indonesian man who paid £3,750 to someone in the village to secure his visa and had to sell his truck to fund this. After only working for 2 of the 6 months he expected, he was asked to return home and only made £1,781 (after expenses). Given that most of these charges are paid overseas, it can be hard to identify the practice and enforce the rules against it. Advertising by both the GLAA and scheme operators, including on their application websites, makes it clear that recruitment fees should not be paid, and the Home Office has in the [past removed a scheme operator licence](#) where this has happened. Home Office/GLAA officials, scheme operators, and others told us that scams (people



pretending to be scheme operators or charging money for non-existent services such as paying money for a route to asylum) are also a persistent problem.

Although recruitment fees are not part of the SWS in any official sense, because of the high amounts charged they nevertheless represent one of the greatest risks to migrants, and consequently also scheme operators and growers. The most substantial debts we have seen were linked to fees paid in source countries. GLAA have told us they are working with government and the IOM in the source countries to drive up awareness of the SWS amongst workers who want to come to the UK. Scheme operators attempt to prevent both scams and recruitment fees, for example, by highlighting on their websites that such fees should not be paid and requiring a declaration that employees have not done so. Although this is a positive step, responses to our Call for Evidence (CfE) indicated this may mean employees are more reluctant to disclose having paid fees and we have also seen reports of workers [lying to scheme operators](#) or [fearing they will lose work](#). Similarly, those interviewed on enforcement visits may not want to admit to paying fees, which makes it difficult to establish the scale of the problem. Recruiting returnees may reduce the likelihood of extra payments in the recruitment chain as they will have greater knowledge of the scheme requirements. Some organisations have called for remediation for those who have paid illegal recruitment fees. The previous UK [government's response to the Independent Review into labour shortages in the food supply chain](#) stated it would continue to liaise with governments of source countries, scheme operators, IOM and Non-Governmental Organisations (NGO's) to fully inform workers of conditions before arrival in the UK and avoid paying additional fees and consider extending Memorandums of Understandings (MOU) to other countries. We agree with the [Independent Review](#) that these should be in place in all key source countries and would encourage the new government to follow the same approach.

As set out in Chapter 4, some employers who responded to our CfE suggested that direct recruitment by GLAA-licensed producers would reduce the risk of modern slavery and exploitation such as recruitment fees by cutting down the number of actors in the recruitment chain (although this may not be possible for smaller growers). We do not disagree that this may be the case. However, whilst employee protection on the SWV is currently imperfect, the existing scheme operator system provides important practical separation between the day-to-day employer and their source of permission to stay in the UK. This is important given the high-risk nature of the sector. We therefore recommend that the scheme operator recruitment model should be retained, and that direct recruitment should continue to be disallowed.

### **Other costs paid before starting work**

As we outlined in Chapter 2, visa applications and travel (airfare) are typically covered by workers, although we mention in Chapter 4 that some employers did take on voluntary costs such as travel. It has [been argued](#) that the requirement to pay visa fees leaves workers more vulnerable to exploitation, such as, for example, being charged other recruitment fees that unscrupulous agents claim are payable. This has been discussed previously in [our 2022 Annual Report](#). Our analysis of data suggests that the typical costs before arriving to the UK amounts to 7% of what a worker would typically earn

whilst in the UK<sup>4</sup>, excluding any potentially illegal recruitment fees. The British Retail Consortium (BRC) comment that the government should consider removing visa fees as they “... [\*heighten the financial risk to workers from the outset.\*](#)”

The 2022 [Defra Seasonal Workers survey](#) found that workers self-reported paying a median c.£550 in costs before arrival in the UK. 47% said they had paid less than £500, 34% between £500 and £999, 12% between £1000 and £2,999, and 6% between £3,000 and £4,999. Only 9.6% of the respondents said they had paid nothing before arrival. There were differences by nationality, with a higher percentage of Indonesian and Nepalese workers paying higher costs compared to the survey average (greater proportion paid for travel and other costs such as recruitment or job finding fees), whereas those from Central Asian countries tended to pay lower costs. The Defra survey also examines self-reported costs after arrival in the UK with the most common cost being travel within the UK (e.g., from the airport to farm (57%)), with only 23% not paying any costs. Travel within the UK was also the most common cost covered by employers responding to our CfE, although reflecting the Defra findings, we also found that workers often pay this themselves – and that they are often left to find and arrange travel. One farm reported that some of their workers had to buy a costly onward plane ticket to Northern Ireland from the airport desk in London. Others entered into a variety of formal or informal arrangements.

*“So we met a taxi driver who basically meets people from Kyrgyzstan for a certain amount of money... we negotiated and agreed and I would say he charged us rather cheap, and I'm really grateful to this person. He helps our people from Kyrgyzstan and from Kazakhstan as well. He's very nice person. I trust him... Initially [the taxi driver] said £60.00 per person and then he said, or two boxes of cigarettes, like 20 packs of cigarettes. So we discussed it between us and we thought we will go for the cigarettes and because it was easier for us to obtain.”*

**Kyrgyz worker interviewed in UK**

As discussed in Chapters 2 and 4, scheme operators may certify that they will maintain the worker during their first month as an alternative to the worker having the required £1,270. Producers we spoke to said it was unrealistic for Seasonal Workers to have such a sum and in practise often work with operators to underwrite this condition. Requiring the worker to have this amount as a condition of the scheme is likely to increase the probability of exploitation, given the likelihood that people would have to borrow it. In instances where workers have arrived onsite with little to no money farms, rather than scheme operators, appeared to be the organisations maintaining workers, such as by providing money for food. A small salary advance from employers could help support workers' initial expenses without putting them in debt or asking employers to support new arrivals out of pocket,

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<sup>4</sup> Based off average earning and average fees paid (visa fees and travel) from the [Defra Seasonal Worker survey](#).

however, this should be explored with caution as it may risk workers perceiving themselves to be tied to the employer, and unable to report concerns or request transfers.

*“Eight workers came in and you couldn’t fault them, but they didn’t know what was happening. They came in with no money, expecting us to support them. They didn’t have any food, any drink, so we had to take them to Tesco. ... The agency told us they [workers] would come in with a card with money on it, but they [workers] knew nothing about a card. So we contacted the agency, they went back to the government but they [the workers] just never got any money.”*

**Large poultry farm, former user, South East, Revealing Reality respondent**

Many workers report borrowing money or [selling their belongings](#) to pay the costs of coming to the UK. One organisation (IOM) responding to the CfE had surveyed returning Tajik workers and found that 48% had taken out loans to travel. Another organisation reported in a publication that [70% of workers](#) entered into debt to come to the UK. As a result, workers may be in debt before they arrive. Debt increases the incentive to comply with poor or exploitative working conditions ([Landworkers Alliance \(LWA\), 2023](#); [Work Rights Centre \(WoRC\), 2022](#)); [ICIBI, 2022](#)), and presents a particular problem where workers are not able to recoup their costs: this is one reason we have made a recommendation that all workers should be guaranteed at least 2 months’ work. [Loans are often unofficial and unregulated](#) and may represent a significant portion of earnings in the UK. When borrowing from lenders, workers may be [charged large interest rates and give valuable assets](#) such as family land deeds as a guarantee. The level of visa processing fees (see Chapter 2), given the short length of the visa, have also been criticised.

There were varying views about the earning capacity of Seasonal Workers. Some employers expressed the view that the costs represent an acceptable deal to the worker given their earning potential:

*“Seasonal Workers are well paid. They live on site at a cost of £9.10 per day with no transport costs. In a typical 45 hour week they would earn £468.90 less accommodation £63.70 = £405.20. That leaves food, alcohol, tobacco & mobile telephones to pay for at a maximum of £100 per week. Net wages after all costs is £300 per week or £1,200 per month... The costs of getting to the UK should continue to be paid by the employee.”*

**Medium, ornamental farm, user, West Midlands, CfE respondent**

(Note: the accommodation offset has since [risen](#) from £63.70 a week to £69.93 as of April 2024)

On the other hand, a 2023 report from the [LWA](#) set out New Economics Foundation analysis indicating that average wages varied from £226 a week (after accommodation, national insurance, visa and travel costs) down to £220 (because of unclaimed tax rebates) or for those paying additional (illegal) broker fees £122.

The Employer Pays Principle (EPP) (which we discuss in more detail in Chapter 4) is one suggestion to address these problems. Views on the EPP can be broken down into 3 schools of thought:

- The scheme represents a good deal for the worker and hence they should continue to pay their own costs;
- The worker should pay for some of the costs, but less (with varying views about who should help pay); and,
- There should be a full EPP (also with varying views about who should pay).

Several representative bodies have called for the EPP to be introduced on the scheme. As mentioned in our fuller discussion in Chapter 4 on the EPP, [Sedex](#), which designed the [SMETA audits](#) used widely by supermarkets and others in the sector to audit labour standards, has also recently clarified that EPP is required for full compliance with [IRIS recruitment standards](#) and [Dhaka Principles](#) for migration with dignity. The BRC [comment on behalf of their retailers](#) that they “...are committed to upholding high standards of welfare for all people who work in their supply chains, and prohibit the use of illicit recruitment fees paid by workers”. As the [EU definition](#) of forced labour encompasses coercion through debt, it is also possible that some form of EPP will be instituted there to protect against debt bondage. As discussed in Chapter 4, feasibility work is underway on how costs could be shared along the supply chain. While the sector awaits the outcome of this work, we suggest that the guaranteed minimum work period should be implemented as soon as practicable.

### **Work and task allocation**

Employers interviewed as part of the research described task allocation as depending on external factors such as the season, crop yield and weather, with workers moved where they were most needed. Where multiple roles/tasks are available, workers’ wishes may be taken into consideration: employers told us that some workers prefer picking roles with higher potential earnings, and others prefer the conditions in the packhouse. Ability, skills, experience, and strengths such as physical strength, English language and dexterity were also considered. Men and women were employed across all roles, but often employers preferred women in the more dexterous, detail orientated roles such as berry picking, and men in roles with more heavy lifting. Packhouse work was allocated either on the basis that the individual did not perform as well in a picking role, or because they requested it.

*“Yard work tends to be more heavy work, therefore we tend to give these roles to men, mushroom harvesting we tend to give to the women as they tend to have a better eye for quality and patience for this role.”*

**Small edible horticulture user, Northern Ireland, CfE respondent**

*“Initially, [Seasonal Workers] would come to work on the line, so that’s the packing of the tomatoes. The next year it could be that they become a line leader or a QC. [quality controller]”*

**Large edible horticulture farm, user, West Midlands, Revealing Reality respondent**

*“We had two seasonal workers in the packhouse because they weren’t keen to work in the field.”*

**Small edible horticulture farm, user, East Anglia, Revealing Reality respondent**

We observed a recruitment event in Kyrgyzstan (delivered in Russian but translated by an independent interpreter) where the type of work and conditions on offer were clearly described and laid out with visuals, including the need to do heavy work and work in all weathers. We also spoke to several Seasonal Workers who had been to the UK in previous seasons, who said that the presentation described the scheme accurately. However, it is also possible that some workers may be asked to do jobs outside their remit. A [FLEX survey reports](#) 25% (of 395 respondents) were not given accurate information concerning tasks. For example, some workers came to the UK expecting to do a specific job such as picking fruit inside in a greenhouse, but instead were picking cabbages outdoors or pruning.

*“... the potential risk or perceived threat of losing work and/or being deported... can result in workers being coerced into carrying out tasks that were not part of what was agreed or not feeling able to report issues at work”.*

**A trade union response to the Call for Evidence quoted a [published report](#)**

### **Treatment at work**

Another important welfare consideration is the treatment of workers on the scheme whilst they are in the UK working by other workers and by their managers. A [happy environment and being treated well](#) may make workers less vulnerable to exploitation. Some farms had dedicated welfare officer roles, sometimes filled by other EU workers who were typically in charge of all pastoral needs. Sectoral and other efforts to address worker welfare include the supervisor training and growers’ toolkit produced by the Seasonal Worker Taskforce and the Defra worker welfare group.

*“I have a welfare officer who speaks 5 different languages, who is my right-hand woman, who deals with every need, whether it be bank card being blocked or needing to go to the dentist.”*

**Large edible horticulture farm, user, South West, Revealing Reality respondent**

*“They are pastoral, they’re driving them to the dentist and help bringing them to the bank etc. They’re there as people to listen to them as well.”*

**Large edible horticulture farm, user, West Midlands, Revealing Reality respondent**

86% of respondents to the [2022 Defra Seasonal Workers survey](#) indicated their experience in the UK had been positive or extremely positive. Despite the gender differences highlighted (e.g., differences in tasks, accommodation that potentially has a greater effect on women), a large majority of both women and men said that they would work on a UK farm again for seasonal work (79% and 82% respectively).

Table 5.1 tells us 58% of all workers from the 2022 [Defra Seasonal Workers survey](#) who answered this question were happy with all criteria asked of them. For each individual criterion listed, 83% or more

of the respondents were satisfied. These satisfaction rates suggest that the majority of Seasonal Workers on the scheme are happy in general, and very happy with regard to most criteria.

**Table 5.1: Proportion of Seasonal Workers that were satisfied/unsatisfied with their experience**

	Yes	No
Accommodation	88%	8%
Hours available	85%	10%
Pay	92%	5%
Provided information	92%	5%
Transport on and off farm	88%	9%
Protective equipment provided	86%	10%
Farm supervisors and managers	85%	10%
Operator support	87%	8%
Ability to leave farm for leisure	84%	9%
Safety	94%	3%
<b>All satisfied</b>		<b>58%</b>

Source: 2022 Defra Seasonal Workers survey.

Base Totals: All Workers: 3900 (Note: published version did not include all the criteria, leading to a higher % of an “all satisfied” statistic).

However, we also heard of some cases of discrimination in our CfE and stakeholder engagement, especially relating to actions by supervisors. The 2022 [Defra Seasonal Workers survey](#) indicated that 10% reported not being satisfied with farm supervisors and managers, and 9% were unsatisfied with their ability to leave the farm for leisure (although 85% and 84% of respondents respectively also indicated they were happy with these factors). Employers/upper management provided some context: supervisors are also employees tasked with ensuring work rates, and there may also be some frustration with communication (especially as more source countries are being used now).

Nevertheless, some of the treatment described in responses to the CfE was very serious in nature.

Much of this also involved supervisors ([WoRC, 2022](#); [FLEX, 2024](#)). This included being threatened with deportation, and behaviours reported included criminal offences such as racial abuse, physical assault, and sexual harassment. A recent large-scale survey of Seasonal Workers found several reported [instances of sexual harassment and violence](#) by both employers and other workers. One worker describes being sexually threatened by multiple colleagues and that these threats were not initially taken seriously by management. When taken seriously, for this case the perpetrators and victim were all placed in the same room for remediation. The victim was then told it was easier to get rid of her than moving the multiple perpetrators which goes against [ACAS guidelines](#) for handling allegations. There was also discriminatory behaviour/preferential treatment reported which included some nationalities being treated favourably whilst others were denied work or hours or were shouted at and humiliated. Workers also described being threatened with deportation, or “blacklisting” from future work if they reported it, with some supervisors being described as “untouchable” and “heavy-handed” with management.



*"I returned home last year after working in England in SWS program. I liked Great Britain very much...But the conditions in the farm where I worked, the attitude towards the workers is not good... In this farm, the bosses and supervisors treat the workers like slaves. They shout and abuse...This farm is run by bosses from the Romanian state and they are very nationalistic. They use very good farms for Romanian workers, compared to workers from Central Asia, they are used in fields with low yields. Naturally we didn't like it and our salaries and working hours were low."*

**Uzbek respondent to CfE**

The SWS taskforce is disseminating industry wide supervisor training materials to develop positive behaviours and attitudes in order to become "champion supervisors", in the form of 10 15-minute modules with optional 15-minute additional tasks for each module. The Agriculture, Horticulture and Development Board (AHDB) has previously provided training for [top fruit supervisors](#) although [no longer provides](#) training on leadership and management.

More generally, employers reported that tensions between workers of different nationalities (for example based on national prejudices or political events) sometimes occurred, suggesting that this had worsened with a wider range of nationalities than under Freedom of Movement when workers were often family and friends of other workers. Some farms said they avoided mixing certain nationalities or chose to only hire from certain countries to avoid tensions. A few farms commented that the stabilisation of source countries was improving this issue, as was the fact that most Central Asian workers come from Islamic countries and hence alcohol is no longer a major problem.

As per [scheme operator guidance](#), when issues impacting the safety or wellbeing of a worker are identified, operators need to remedy the issue immediately or transfer the worker. We discuss the complaints process below.

## **Wages**

Workers often earn several times what they would earn in their home countries ([The Bureau of Investigative Journalism, 2022](#)): several we spoke to told us they were able to buy a house or set up a business with their earnings in their home country. This is not universally the case, and the reason we have made a recommendation that all workers should be guaranteed at least two months' work is to safeguard against the possibility of people not receiving work they had expected or being dismissed at an early stage without a chance to at least recoup their costs. The [ILO recognises](#) that wages "*are among the most important conditions of work*" and workers on the SWV place particular importance on [earning as much as possible](#) in the short time they are in the UK. Our research indicates that employees may monitor hours and pay on other farms and request transfers based on this. All participating employers said that they paid at least the basic requirement of £10.42 per hour (since updated to £11.44). Our analysis shows how the median earnings have shown minimal changes when comparing 2019 to 2022 (Table 5.2), and average monthly earnings in 2022 were £1,600 (Table 5.3).



**Table 5.2: Median earnings per completed placement**

What were the median earnings per completed placement?	2019	2020	2021	2022
Median earnings	£7,980	£5,917	£7,740	£8,097

Source: Defra operator data, Q2 2019 – Q4 2022.

Note: The median presented here is calculated from grouped data.

**Table 5.3: Average monthly earnings per completed placement in 2022**

What was the monthly earnings?	2022
Average monthly earnings	£1,600

Source: 2022 Defra operator data and 2022 Defra Seasonal Workers survey.

Note: The average monthly earnings presented here is calculated from grouped data.

The [2022 Defra Seasonal Workers survey](#) found that 92% of SWV workers were happy with the pay they received. Nearly all (98.9%) were paid on time, with the majority being paid in full (86%). There were some differences by nationality (e.g., a higher proportion of Kazakh and Nepalese respondents reported not being paid in full). [Another survey](#) reported higher levels of underpayment, with 19% saying they were paid less than promised; women reporting higher rates of underpayment than men (27% and 16% respectively); and 2% of all men and women reported not being paid at all. The respondents of the [2022 Defra Seasonal Workers survey](#) also said they had received adequate information on their pay and potential reductions to pay (91% and 81% respectively) before coming to the UK. Returning Seasonal Workers we spoke to said that the recruitment presentation accurately represented pay and deductions. The data indicates that while most workers had a good experience, some workers did have problems receiving the pay they had expected.

Additional pay varied across farms with some employers preferring to pay a flat rate (particularly in packing jobs) whilst other farms had pay levels up to £15 per hour or sometimes as much as £20 per hour. For example, overnight work and overtime can result in increased pay, and faster pick rates may attract either increased pay rates or bonuses. On many farms the packhouse was popular because people preferred the conditions or found the work easier, indicating that pay was not the only factor workers considered. [Home Office guidance](#) around picking/performance bonuses is that workers should have fair targets, should not be penalised for not meeting these, and that where these bonuses are used, national living wage should still apply. Despite this, some employers have reportedly threatened to or have removed work if targets are not met ([LWA, 2023](#); [FLEX, 2021](#)). An employment rights organisation responding to our CfE indicated confusion from workers around picking/performance bonuses and sick/holiday pay. 2 of the 125 UK visas and Immigration (UKVI) reports found similar confusion regarding sick and holiday entitlement despite proof that the farms provided guidance.

*“We pay minimum wage, always minimum wage. But our pickers, according to their productivity, they also get bonuses on top.”*

**Large edible horticulture farm, user, Scotland, Revealing Reality respondent**

*“The guys in the field that are on piece rate are earning a fortune – if they’re working hard, they can earn an absolute fortune. But the [local] guys that were coming in couldn’t see that money because they weren’t prepared to put in the work to go over £20 [per hour].”*

**Large edible horticulture farm, user, South West, Revealing Reality respondent**

Workers currently pay income tax, national insurance and are auto-enrolled into making pension contributions, representing a potentially large impact on take home pay. These have been reported by workers as problems in the [2022 Defra Seasonal Workers survey](#) and were raised as difficulties with the scheme by others including Kyrgyz government representatives, workers and employers. In theory, workers can request a refund of income tax or refuse auto-enrolment onto pensions schemes, but employers and reviews of UKVI casework indicate that many are unaware of how to opt out despite wanting to, or in practice have to pay a tax consultant to request a refund from overseas on GOV.UK. As employers are not supposed to suggest workers opt out of the pension, the difficulties of doing so are increased.

## Hours

Since its introduction in April 2023, the 32-hour per week minimum has been an important improvement to employee welfare. In April 2024, there was clarification on this rule – workers are to be paid for 32 hours a week for every week they are in the UK, and not (as previously interpreted by scheme operators) just the weeks they are employed by a farmer. Since this clarification was issued, scheme operators have suggested that there may be unintended welfare consequences, for example workers being sent to their home country before the end of their visa if there is no immediate work available to move onto. As well as offering employees a guaranteed level of pay, some employers we spoke to indicated that the 32-hour requirement had made them think more carefully about the number of workers to request. Prior to this requirement, some employers had used zero-hour contracts, which may increase the risk of exploitation or forced labour, especially when paired with picking/performance bonuses ([Financial Times, 2022](#); [FLEX, 2021](#)). Without guaranteed hours it may be hard for workers to afford their bills in the UK, make money to take home or pay off debt incurred. The MAC has [previously discussed](#) the risks of precarious work.

As discussed in the previous section, workers want to maximise their earnings and therefore it is not surprising that both workers themselves and employers told us they generally wanted as many hours as possible. In our analysis of the [2022 Defra Seasonal Workers survey](#) (Table 2.1), 86% self-reported working on average more than 35 hours a week – most commonly this was either 40-44 hours a week or 45-49 hours, with 14% working over 50 hours a week. Around 10% of respondents to the [2022 Defra Seasonal Workers survey](#) were unhappy with their hours (free text responses indicated this may be due to a lack of hours rather than the reverse). This was also seen in one of the UKVI reports we

analysed. On the other hand, too many hours could have a negative impact on workers such as being exhausted which is potentially dangerous. A [recent survey](#) reports workers receiving less hours than they expected or working too many (over 70 hours a week). 14% of workers worked less than 32 hours a week, although the majority (79%) worked between 32 and 48 hours a week. As observed through fieldwork, workers tended to work 6 days a week with one day off. This day tended to be used for shopping which often requires taxis or minibuses given remote locations of farms, although some farms did supply transport.

The requirement for 32 hours worked per week applies for the time the migrant is in the UK. However, there is no guaranteed minimum time the worker will be in the UK. This can be a welfare concern because the workers make calculations of their earnings based on the full length of their visa and having a shorter duration can have negative impacts. IOM told us that workers from Kyrgyzstan, Tajikistan and Uzbekistan made calculations about their potential earnings based on the assumption they would be employed for the full 6-month duration of their visas. However, in reality, workers may be in the UK for less time than this. The [2022 Defra Seasonal Workers survey](#) found that 61% self-reported working in the UK for over 5 months, 20% for 4 to 5 months and the remaining workers less than 4 months. This survey found that different nationalities reported being in the UK for different lengths of time, for example Indonesian and Nepalese workers were the most common nationalities to report that they had been in the UK for less than 5 months, whereas respondents from Kyrgyzstan and Tajikistan were the most likely to report having been in the UK for more than 5 months. A representative organisation (IOM) conducted a similar survey that found Tajik workers reported being in the UK for an average of 3.8 months. The duration of employment may even be so short that the workers cannot recoup the costs they invested in coming to the UK and make an overall financial loss or enter exploitative work in other sectors ([CfE; Labour Exploitation Advisory Group \(LEAG\), 2023](#)). We do not think that migrants who have complied with all the rules of the scheme should be out of pocket. Considering that workers may spend far less time in the UK than their visa duration, IOM (CfE response) suggests that a minimum of 5 months or 22 weeks work should be guaranteed. [Various workers' rights groups](#) have suggested that better employment guarantee safeguards should be put in place. Responses to our CfE included ideas such as compensation if the minimum period of work is not met or access to other types of work if seasonal work is insufficient.

## **Visa length**

Chapter 2 sets out that the actual time spent by workers on the SWS can be considerably shorter than their visa. Many [workers want to stay longer](#). [The 2022 Defra Seasonal Workers survey](#) found that most respondents self-reported receiving adequate information about their hours and their contract length before coming to the UK. As with returnee status, a longer visa length may reduce vulnerability to exploitation through improving English skills and awareness of rights in the UK and increasing the possibility of redress if complaints are raised.

It is important to balance worker welfare with employer and other needs when setting an appropriate visa length. It is also clear that longer visas are not always better for employee welfare: the PALM scheme found that multi-year visas could negatively impact families, and both the Kyrgyz government

and Kyrgyz/other Seasonal Workers said that it was important to be able to balance time with family as well as time spent earning. Another potential concern is having to stay in accommodation (intended to be temporary) for longer, which may be less comfortable for workers. There is also a welfare consideration in offering long-term visas on a route that does not offer settlement. In some cases, there is a benefit to lengthening the visa to 9 months, primarily because of the increased earning capacity this would offer compared to the upfront costs of getting to the UK. As discussed in Chapter 2, employees often do not currently receive 6 months' work because of logistical considerations: a 9 month visa may allow them to receive 6-8 months' work based on the expressed needs of employers. Whilst there could be benefits to allowing a slightly longer visa, we acknowledge that certain administrative and practical implications mean that greater flexibility could be gained in other ways such as a shorter 'cooling-off' period.

### **Accommodation**

Given that most workers have little choice about their accommodation and the overlap between work and housing, it is important to consider this as part of overall welfare standards. The accommodation standards are set out in Chapter 2. Most Seasonal Workers (95% in 2022 based on Defra monitoring data) live on site, with some exceptions such as being housed on neighbouring farms, in out-of-season holiday camps, by scheme operators at separate sites, or in rented housing. This overlap potentially increases the risk of exploitation by creating dependence: as employer-provided accommodation is often the only economically or practically viable option, workers may avoid complaining about bad accommodation for fear of becoming jobless and homeless ([WoRC, 2023](#); [ILO, 2012](#)).

Site visits conducted as part of the research indicated that workers are usually accommodated in caravans or hostels with multiple people in each, ordinarily grouped by sex, couples/relatives or nationality. Some farms requested couples and then paired them with other couples in mobile homes. One farm grouped workers by crop they would be working on.

*"In [the accommodation], they'll be the same nationality...they like to live together and different communities cook differently. It's just easy for them, and there's no language barrier."*

**Large edible horticulture farm, non-user, South West, Revealing Reality respondent**

The [2022 Defra Seasonal Workers survey](#) found that 88% of workers were happy with their accommodation, although comments were also made about poor accommodation. This was echoed in a conversation we had with outreach workers who reported seeing problematic Seasonal Worker accommodation that was cold, mouldy or damp. Our review of UKVI compliance reports also indicated that substandard accommodation was not uncommon: 20 of 130 reports expressed issues with accommodation including: mould or damp, unsafe conditions, showers lacking privacy, blocked fire doors, gas/electricity certificates not being visible, no running/hot water in caravans, no working sockets, overcrowding, and general lack of modernity and disrepair. [Another recent survey](#) found that 52% of workers surveyed described their accommodation as clean and comfortable, with 19% saying it was mouldy. 52% had access to adequate bathing facilities and 64% to a toilet. This survey also found

issues with warmth and space in the accommodation, as only 37% of respondents reported feeling safe. [The ICIBI](#) also expressed concern about the low standards of some accommodation mentioned in compliance reports, although they also identified seeing accommodation that exceeded expectations. On farm visits we also saw a wide variety of positives in the accommodation employers showed us, including one employer who provided small en suite caravans for each worker. Other efforts to provide good living standards were also evident at many of the places we visited, including large communal spaces, gyms, barbecue/picnic areas and social events. Employers who provided this believed it made them more competitive and helped ensure workers wanted to return.

*“We have a Christmas party for them each year where we go to the beach, we hire a band.”*

**Large edible horticulture farm, user, South West, Revealing Reality respondent**

95% of [2022 Defra Seasonal Workers survey](#) respondents reported receiving adequate information on accommodation prior to entering the UK. Seasonal Workers we spoke to in Kyrgyzstan who had previously been to the UK said that the presentation made by scheme providers accurately reflected the accommodation standards they had experienced. These workers said that the accommodation was adequate for temporary work, although cold and expensive to heat in winter. On analysing [2022 Defra Seasonal Workers survey data](#) (Table 5.4), 88% of workers said they were happy with their accommodation, with slightly fewer females than males being happy (83% compared to 89%). This may reflect some of the concerns raised by women in particular, such as privacy, lack of locks, and concerns about sharing with the opposite sex.

**Table 5.4: Were the Seasonal Workers happy with their accommodation?**

	Yes	No	Unsure	Prefer not to say
All Workers	88%	8%	3%	1%
Female	83%	11%	5%	1%
Male	89%	7%	2%	1%

Source: 2022 Defra Seasonal Workers survey.

Bases: Total Workers (3,871); Female (574); Male (3,297).

Our visits, CfE and several UKVI compliance reports found that in addition to being charged the maximum accommodation amount, workers tended to pay additional money for necessary services such as utilities and laundry. Some farms also charged for other services and facilities such as bedding and wi-fi, which are not requirements but are important to employee welfare. Some farms did cover these additional charges and it would be worth considering whether they could be made requirements.

There is confusion around the monitoring and enforcement of accommodation standards. We discuss this later in this chapter when discussing enforcement as a whole on the scheme. Both the

accommodation standards and how these are to be monitored and enforced should be clarified. The UK government have committed to [working with the sector](#) to improve accommodation.

## Transfers

As we describe in Chapter 2, transfers may be driven by either the employee (including for welfare, social or pay reasons) or the employer. As with the labour market more generally, workers can choose to leave their employer but may not be able to transfer to the employer of their choice. Cited reasons for making transfer requests include seeking better pay/more hours (perhaps due to the crop); friends/families on other farms; travel; or welfare issues. The [House of Lords review](#) quoted Mark Spencer MP (previous Minister for Food, Farming and Fisheries) on the importance of workers having certainty over their place of work. Scheme operators told us that welfare transfers are prioritised. When transferring between farms, workers also often [cover travel costs themselves](#). In New Zealand's review of the RSE policy, a recommendation was made that employers should cover this cost.

Transfer requests are a fairly common occurrence: the 2022 [Defra Seasonal Workers survey](#) indicated that of 873 self-reporting respondents, 23% stated they had requested a transfer to another farm during their time on the scheme. Of these respondents, just under half (47%) were transferred and happy with the outcome, 9% were transferred but not happy with the outcome, and 44% had not been transferred. A response to our CfE cited a survey which indicated that 33% of 309 respondents had requested a transfer; 58% of whom reported having had this refused. [ICIBI](#) highlighted concerns that Seasonal Workers were often not advised of the right to request to move farms, and that some requests were not granted when they could have been. Some CfE responses additionally emphasised the lack of a clear complaints structure for employees who are unable to obtain a transfer. There may be sound operational reasons for refusing a transfer, for example the requested employer/other employers may not need additional staff, or a different scheme operator may cover the requested farm.

## Drop outs, dismissals and early leaving

Table 5.5, taken from scheme operator management data, shows the reasons for leaving early include: dismissal; illness or injury; or finding pay, working conditions or living conditions unsatisfactory; reaching earning potential; or to support family. According to our fieldwork, workers also left to take advantage of cheaper flights, especially around Christmas. The most common reason in 2022 was scheduled departures (75%) followed by no given reason (13%) which does limit the usefulness of this data to an extent. Reaching earning goals was the most common reason given other than being a scheduled leaver (4%), followed by dismissal (3%), family illness (3%), and then illness or injury and pay disputes/unsatisfactory pay (1%). Reasons varied slightly over 2021 and 2022. Although, each year, 2-3% of all visa holders had left early because they were dismissed.



**Table 5.5: Reasons for leaving as a percentage of all visas issued.**

	2020	2021	2022
Dismissal	2%	2%	3%
Illness or Injury	1%	0%	1%
Working conditions	1%	3%	0%
Reaching earnings goal	4%	2%	4%
Pay disputes/unsatisfactory pay	0%	0%	1%
Living conditions	1%	4%	0%
Family illness	1%	5%	3%
No reason given N/A	39%	23%	13%
Scheduled leavers	52%	60%	75%

Source: Defra Operator data.

Bases: All visas issued: 2020 (7,211); 2021 (29,587); 2022 (34,484).

Some employers interviewed as part of the research said they tried to incentivise workers to stay from start to finish. It is important that employees can leave early if they need or wish, but they should not be driven to do so. If scheme operators have their licence suspended, workers are permitted to continue working, while if their licence is revoked, workers have 60 days to find a new sponsor or alternatively return home. If they are yet to arrive in the UK, they may find that their applications are frozen. This is potentially problematic for workers who have already paid their visa fees and for other costs such as travel. Workers and scheme operators are tied together, meaning if scheme operators have their licence revoked, workers in the UK may be unable to make much money and/or may be unable to pay off debts. Therefore, where a scheme operator has been revoked, workers with a Certificate of Sponsorship should be eligible for transfer to another scheme operator.

[Canada](#), [New Zealand](#), and [Australia](#) have a process in place to manage situations where workers need to leave the scheme (or change employers) due to welfare issues such as exploitation or who lose their job. New Zealand has a Migrant Exploitation Protection work visa which allows workers to move to another employer in cases of exploitation.

### Health and safety considerations

Employers and welfare officers we spoke to reported helping workers with a range of issues including:

- Health problems, including musculoskeletal injuries related to the type of work; illness or injury requiring GP, hospital or dental treatment; and accessing pregnancy or abortion care;
- Interpersonal problems such as arguments between workers or domestic violence cases; and,
- Accommodation problems such as mould developing and needing to be addressed during the season to avoid a risk to health.

While the employers we spoke to said they accepted their duty of care, they commented that it could be hard to find appropriate support services at the weekend and bank holidays. There is also little research into personal issues such as domestic violence or sexual assault between or of workers on farms or of health issues.



In the 2022 [Defra Seasonal Workers survey](#), 31% of respondents self-reported that they had become sick or injured while in the UK. Of these, 6% said that they were not well supported or able to receive treatment. This is [an improvement from 2021](#), where 22% of respondents had become sick or injured; 51% of whom said that managers had not ensured they received adequate treatment. According to a [large scale recent survey](#) of workers, 8% of workers reported regularly or sometimes being expected to go without treatment for an accident or illness that required treatment. Between 1% and less than 1% of all visa holders (who gave a reason) said they had left early due to illness or injury over the last three years (see Table 5.5).

As work takes place seven days a week and employees usually live on site, problems may occur at any time. While the Just Good Work app provides the facility to get help in any country, it is also crucial that employees feel able to approach supervisors and other managers for help and have on-site contact details for use in an emergency. Workers should be given information on how to get help and on how to contact emergency services while they are in the UK, in their own language. When serious welfare issues such as domestic violence, physical attacks or racial/sexual discrimination happen, the perpetrator should be removed and reported to the police where appropriate. Scheme operators should proactively contact victims to see whether they wish to switch farm through a prioritised transfer process and enable this.

[Scheme operators' responsibilities](#) include ensuring that workers have a safe and compliant environment, and that they are provided with appropriate equipment (at no cost) to do the job safely. This is especially important given the high-risk nature of much of the work carried out. The 2022 [Defra Seasonal Workers survey](#) highlights that 94% of their respondents were happy with safety on the farm (3% were unhappy), although it must be noted that they may be comparing standards to those in countries with lower levels of safety regulation. UKVI compliance reports and workers' rights groups have identified issues with health and safety on farms, particularly around personal protective equipment (PPE) including workers not having PPE/adequate PPE or having to pay for it. [Another survey](#) found that 10% of people were asked to regularly or sometimes perform tasks they felt were unsafe or dangerous and 15% were regularly or sometimes asked to perform tasks without proper equipment. The [weather can also play a role](#) in health and safety, with hot weather causing heat stroke or wet, cold and windy weather causing discomfort, particularly if workers do not have adequate equipment. Insufficient safety equipment is [an indicator of exploitation](#), and is one of the [ILO's indicators](#) of forced labour.

*“The only personal protective equipment (PPE) provided is a hi-vis jacket only which is provided free of charge. The farm has stated that gloves are not required but workers are free to buy and wear them if they wish. Compliance officers notice migrants wearing safety wellingtons and was informed workers are advised to buy their own and it is included in the induction. Compliance officers pointed out to the farm that if ask workers to buy their own then they must be required and therefore must be provided free of charge.”*

**Edible farm, user, West Midlands, UKVI report**

*“Workers told they would be given PPE but reported never receiving any. Management believe many of the jobs do not require PPE or PPE beyond gloves.”*

**Edible farm, user, Scotland, UKVI report**

Other issues identified in some UKVI reports included not being briefed on health and safety, no/insufficiently recorded risk assessments, and only being briefed in a certain language: for example, at one UKVI site visit one migrant (of four interviewed) only received a health and safety briefing in Russian, and it was unclear whether they understood (we discuss the use of English and Russian further in the next section). As highlighted by the HSE, to be legally compliant, workers must receive a [health and safety induction](#) which includes meeting any training needs workers may have – in this case, having training provided in a language they understood.

### **English language requirement**

As discussed in Chapter 2, there is no English language requirement on this scheme although some scheme operators have their own rules around language (for example requiring Russian) to facilitate informed recruitment. There are mixed opinions on whether some level of English should be required.

In 2023, four of the five most commonly hired from countries for the Scheme were Central Asian. Scheme operators and employers dealing with workers from these source countries said Russian is widely spoken by these workers, and historically many workers from these countries have worked in Russia. Russian is also widely spoken by EU Settlement Scheme and Ukrainian permanent staff so it can offer a useful means of communication, although we also spoke to producers who found that when the workers arrived, their Russian was limited. For younger generations, English increasingly constitutes the second language, although this may not be spoken fluently. On balance, we think the use of common languages, such as Russian, present an acceptable compromise between employers sourcing hard-to-find language support and requiring workers to speak in English: it is particularly important to be able to communicate easily about health and safety. However, as we discuss below, contracts and complaints processes must be available in the language in which the worker is most comfortable.

[Scheme operators are required to](#) give workers employment contracts in their first language (as well as English) and employers must take *“adequate steps to ensure workers understand Health and Safety procedures, including providing translations into the workers’ first language if required”*. The point at which scheme operators [gave workers their contract varied](#), for example some signed online before

coming to the UK whilst others did not do so until their farm induction. Some UKVI inspections found migrants were not provided with translated documents, only in one alternative language, or in the wrong language. However, the [2022 Defra Seasonal Workers survey](#) found that 95% of respondents self-reported receiving a contract in a language they understood. Our analysis of this data found that fewer women than men did so (92% compared to 95%), and also revealed differences by nationality. Shown in Table 5.6, workers from Uzbekistan, Nepal and Indonesia were most likely to have a contract in a language they understood, whereas those from Ukraine, Russia and Kazakhstan were least likely. This may indicate that language provision depends more on scheme operator/employer efforts than the actual difficulty of obtaining translation support.

**Table 5.6: The contract was in/not in a language the Seasonal Worker could understand split by top and bottom 3 countries**

Country	The contract was in a language the seasonal worker could understand	The contract was NOT in a language the seasonal worker could understand
Uzbekistan	98%	2%
Nepal	98%	2%
Indonesia	97%	3%
<b>All countries</b>	<b>95%</b>	<b>5%</b>
Ukraine	77%	23%
Russia	83%	17%
Kazakhstan	93%	7%

Source: 2022 Defra Seasonal Workers survey.

Base totals: All Workers: 4060, Uzbekistan: 354, Nepal: 324, Indonesia: 380, Ukraine: 116, Russia: 86, Kazakhstan: 240.

Note: This only displays the top and bottom 3 countries that have a sample size of >25.

Respondents to our CfE acknowledged that the minimal English skills of many Seasonal Workers leaves them more open to abuse, less aware of their rights, and potentially less likely to raise a complaint. We have seen on farms that some Seasonal Workers who speak English will act as informal translators, with some reporting improved English skills over time.

We acknowledge that English skills are desirable and useful but think they should continue not to be a requirement. As discussed in Chapter 4, such a requirement would add to recruitment complexity and cost. Requiring English language may reduce vulnerability to exploitation, although it would also substantially reduce many workers' opportunities to participate in the scheme. The vulnerability might be mitigated by providing information and support in other languages. It is crucial that workers are provided with both information and complaints processes in the language they feel most comfortable with, even if another language is also used during recruitment. We have seen good examples of this, such as multi-language helplines and the IOM/GLAA providing information on workers' rights in some languages. We would like to see this provision extended (for example, offering information in Central Asian languages).

## The complaints process

Raising complaints should be simple, and [sponsor guidance](#) sets out the need to ensure workers know how to and are able to report a concern. The SWS taskforce [growers toolkit](#) provides practical guidance to employers on this.

In 2022, very few (4% or 166) respondents to [Defra's Seasonal Workers survey](#) reported having raised complaints, most commonly complaints related to “bullying or negative experience with supervisors”, “lack of available hours”, and “transfers”. More of those raising a complaint said they felt it was followed up (51%) compared to not (42%). However, 42% is still too high: workers should feel confident that their complaint will be followed up even if not resolved. Worker welfare groups expressed doubts about how seriously complaints are taken ([WoRC, 2022](#); [LWA, 2023](#)). In our CfE, DLME and NGOs expressed doubts over the realistic likelihood of employees complaining, citing lack of awareness of rights; lack of trust in officials; and limited time in the UK. Workers may fear losing work, destitution or immigration enforcement ([FLEX, 2023](#); [LEAG, 2023](#), [LWA, 2023](#)) and so may decide just to earn what they can. These issues are not confined to the UK: the US Department of Homeland Security [acknowledges](#) that “Workers are sometimes afraid to report violations of law by exploitative employers or to cooperate in employment and labor standards investigations because they fear removal or other immigration-related retaliation due to reports by an abusive employer”. New Zealand has a hotline as well as email, text and online forms for workers to make reports of exploitation, and Germany provides through the German Trade Union Confederation [fair integration advice centres](#), which can refer migrants on to sources of specialist support.

Employers who responded to the CfE believed that workers were able to raise complaints easily via farm management or scheme operators: this was supported by the evidence we heard from welfare officers, and the posters we frequently saw on site visits advertising helplines, including in other languages. However, the views of many workers contradict this: in the 2022 [Defra Seasonal Workers survey](#), 29% of respondents self-reported not knowing how to raise a complaint. Increasing proportions of workers responding to the Defra surveys have also said that it was not easy to complain (20% in 2019; 39% in 2020; 40% in 2021). Of the UKVI 2023 reports, a farm was reported as only being able to complain verbally to the farm or sponsor and there being no dispute resolution process. In other cases there were gaps in the process: for example, one UKVI report from 2023 found that one farm had no documented dispute/complaints resolution process. Evidence submitted to our CfE and to the [House of Lords enquiry](#) showed that migrants who had raised complaints had commonly not been able to resolve these: faster turnaround times from UKVI could help resolve this issue (see next section).

Workers are instructed to raise complaints on site initially. They can also report problems to welfare reps at their scheme operators, the Good Work app, or to GLAA, although workers may not want to raise complaints with either the body in charge of their overall sponsorship or to the same body that deals with immigration crime. The GLAA website offers report forms in select European languages, including Russian - it would be useful to expand the availability of Central Asian languages. The app has been recently launched, which we consider to be a positive development. Although this app is

supported and recommended by industry, which some organisations have suggested could make workers less likely to use it, it nevertheless provides a free and accessible source of advice and the ability to complain or raise problems. The previous government said it will work with the sector to explore “a routing of complaints” to improve conditions and experiences whilst in the UK.

## How effectively are the rules enforced?

Several positive changes have been made to the resourcing of enforcement following recommendations made in the [ICIBI's inspection report](#), including increased staffing for inspection visits and compliance monitoring: in the 2022/23 season, 144 farms from a cohort of around 500 were visited. The widespread use of the SWV means that it is particularly important to enforce standards to uphold conditions more broadly.

### Lack of clarity

As discussed in Chapter 2, the enforcement landscape is fragmented, with multiple bodies and different remits: it was described as “*muddy*” by [the ICIBI](#). Some charities, NGOs and supermarkets include Seasonal Worker welfare (including inspections) as part of their labour market welfare remit. Figure 2.4 in Chapter 2 illustrates the complex web of responsibilities in the enforcement space. However, a lack of clarity and logic persists, with some organisations holding conflicting roles (for example overseas recruitment agencies needing to be licensed by GLAA but [GLAA requiring the licence holder to do their own diligence for subcontractors licencing](#)) or scheme operators being required to ensure worker welfare when they have a business relationship with employers and are not an enforcement body. Artificial barriers to enforcement may also exist, for example responsibility for Seasonal Worker welfare is devolved, but Devolved Administrations are not able to access information from scheme operators about where workers actually are.

DLME has suggested that, in the absence of a single enforcement body (a previous Conservative manifesto commitment that was dropped in 2022), DLME could take a coordinating role between various government departments and the industry. We think this could help simplify what is still a complex system. Clarifying the roles of the agencies involved (as recommended in the ICIBI report and accepted by the Home Office) would also be useful in ensuring that all aspects of enforcement are covered. Currently, the GLAA is responsible for regulating scheme operators but cannot take action against a farm unless modern slavery is suspected, generating a break in the chain of regulation where issues that do not meet the threshold of modern slavery can be missed (e.g., bad accommodation, confusion over how pay & hours works). We support the GLAA having the legal power to independently go onto farms that are using Seasonal Workers, and to be given adequate resourcing to do so.

### Separation of immigration and labour market enforcement

As mentioned in relation to the complaints process, workers may be hesitant to report issues because of the lack of separation from immigration enforcement: GLAA, who have duty under the Modern Slavery Act to investigate potential forced labour and breaches of the Licensing Standards for licence-

holders, and the Home Office have responsibilities relating to both. This was raised by several NGOs responding to our CfE, and the [House of Lords review](#) commented that “the effectiveness of enforcement is curtailed by the coupling of labour market with immigration enforcement, and a jumbled mix of bodies responsible for carrying out enforcement.” It has been suggested that a “data sharing firewall” between labour market and immigration enforcement would help this.

### **Greater proactivity in the enforcement system**

With the stabilisation of source countries, there is opportunity for greater proactivity in enforcement activity with these countries. A proactive approach, which in this instance refers to good working relationships with source country governments, is likely to be as beneficial as reactive measures such as removal of licences. The former advisor to [the IASC](#) has commented that “*the GLAA has in the past been more likely to pick up on these issues [such as illegal recruitment fees] because it had working relationships with labour enforcement agencies in countries such as Romania, where most migrant workers came from before Brexit.*” As discussed earlier, we think that the establishment of MOUs with all key source countries would be an important step in enabling this to happen. In our discussions with Kyrgyz government officials, we noted that the government was keen for greater partnership at an operational as well as strategic level, reflecting the importance of the SWS to source country governments.

Greater proactivity is not just relevant overseas before workers arrive, but in the UK too. In 2023, there has been greater proactivity with increased farm inspections made possible because of increased resourcing. As well as reacting to reported issues, visits are increasingly being scheduled on a time since the last inspection basis, or because of a high number of Seasonal Workers employed. We would also like to see scheme operators notified more quickly (within a few days) of problems that UKVI finds on these visits. Scheme operators have also told us that they would like to have evidence of complaints more quickly, in order to address problems sooner. At present, one of the reasons that some workers do not receive adequate redress appears to be that problems are not addressed quickly enough: [a group of organisations](#) told us that “*reports were only fed back to scheme operators months later or not shared at all. By the time reports were fed back to scheme operators, the workers that had raised the complaints had often left the UK.*” Increased resourcing to enable UKVI to have the best chance of finding problems that exist, and to enable them to share them at pace with scheme operators, would make this more likely. The [WoRC](#) has also recommended that the HSE implement a worker outreach programme, engaging more proactively with workers, as well as unannounced inspections on farms to encourage self-regulation.



# Chapter 6: Recommendations

## Introduction

We have taken a broad approach to this review, considering all aspects of the scheme including its impact on the UK economy, on businesses, on wider society and the workers themselves. We have grouped our recommendations into 5 key themes.

## Provide certainty around the future of the scheme

**Confirm the future of the Seasonal Worker Scheme (SWS)** – If the new government intends to meet the previous government’s objective of maintaining current levels of domestic food production, then a Seasonal Worker Scheme is required in the short-to-medium term. In 2013, the MAC said, "*a replacement SAWS [Seasonal Agriculture Workers Scheme] should only be considered if it would help horticulture thrive in the long run...It is possible that any replacement scheme could be viewed as a transitional measure until the requisite technology – robot apple pickers, for example – comes on-stream*". We continue to believe that the agricultural sector needs to explore automated options that would reduce the long-term dependency on migrant labour, and that government must play a role in promoting investments in automation.

We therefore welcome the previous [government’s announcement](#) that the scheme will be extended to 2029 alongside the stated intention that visa numbers will be tapered down over time. This will provide more certainty to businesses whilst at the same time (and with additional support) encouraging automation and reducing reliance on migrant labour.

However, in their announcement the Home Office did not clarify whether the extension of visa numbers would be confirmed on a rolling basis. **We recommend that they do so each year in order to provide additional certainty – effectively meaning that users would have 5 years’ notice if the scheme were to be closed.**

We also note that the Home Office did not clarify how they will calculate the tapering of visa numbers, nor whether this will be done on a crop-by-crop basis or by using other criteria. **We recommend that the Home Office makes clear the methodology that is used to calculate any planned reduction in visa numbers, and of any use of monitoring to measure both the wider impacts of increased automation and tapered visa numbers.**

**Eligible roles on the Seasonal Worker Scheme to remain the same** – We do not recommend widening or restricting eligibility on the route; increasing the types of roles would likely make it harder to regulate what Seasonal Workers are doing and risk a departure from the original intentions of the scheme.



## Allow for a more flexible visa

**Visa flexibility** - We accept the previous government's intention to maintain the current duration of the horticulture visa at 6 months and poultry at the current approximate of 13 weeks. The durations reflect the intent of the SWS to address seasonal peak production periods and avoids the administrative complexity of bringing the Immigration Health Surcharge into scope for visas greater than 6 months in length. Recent Home Office clarifications around pay may also reduce the demand for a longer visa. Additionally, there is evidence to suggest that many workers do not utilise the full duration of their visa and when in the UK are living in conditions which, even when compliant with required standards, can be challenging for extended periods.

Greater flexibility for the horticulture visa can however be achieved by relatively small alterations to the current SWS structure, thereby maximising the effectiveness of the route for the employer, the worker, and the wider economy. **We recommend increasing flexibility on the scheme by combining:**

- **Shortening the 'cooling-off' period** – current [scheme rules](#) stipulate that a horticultural Seasonal Worker can work for a maximum period of 6 months in the UK in any 12-month period. Reducing this 'cooling-off' period to 3 months would allow experienced workers to return to the UK more quickly; and,
- **Allowing Seasonal Workers to work 6 months in any calendar year** – this would allow Seasonal Workers to return to the UK more quickly if there is employer demand in industries where seasonal production can extend beyond 6 months, or where there is a short gap between growing seasons.

## Fairer work and pay for workers

**Pay** – We are concerned by the evidence that wages for workers on the SWV are lower than UK wide averages at the occupation and industry level. Fundamentally, migrant workers should not be being paid less than other workers in the UK for undertaking the same work. Beyond this, **we support increasing wages for migrant Seasonal Workers to limit exploitation, prevent the undercutting of domestic workers and incentivise automation, among other potential benefits.**

However, the occupational/industry-based comparison is not perfect, with these groupings including a variety of jobs beyond just seasonal work. At present, a direct comparison between the hourly wages paid for seasonal work to those on the SWV and to others undertaking this work in the UK not on the route is not possible, limiting our ability to understand if SWS workers are being underpaid for the same work. For workers on the SWS, while mean hourly pay data exists, we do not have access to median pay or ranges, nor any breakdowns by occupation or industry to understand pay differences for different types of work better. For seasonal workers in the UK not on the route (largely EU Settlement Scheme, Ukrainian and some British workers) we are not aware of any wage data that exists. Even examining agriculture sector wages more broadly (through ASHE, which is not able to distinguish seasonal workers nor whether they are on the visa route or not) sample sizes are too low to gauge industry or occupation pay levels with confidence (especially when combining the 2 identifiers).

Collecting better hourly pay data for seasonal work, both for those on the SWV and not, is required to understand whether migrants are being underpaid. In order to set considered and useful minimum wages or design pay structures like the US Adverse Effect Wage Rate (AEWR), better hourly pay data across the agriculture sector would be required. Alongside detailed seasonal work pay data, better wage information at the industry and occupation level for the sector would inform the structure of any framework (whether minimum pay would be set at the occupation, industry or scheme wide level for example) and support the monitoring of the impact of these policies and any unintended consequences. **We recommend that this information is collated and made available to government departments.**

**Tax refunds** - The process of refunding income tax and opting-out of pension scheme auto-enrolment should be made clearer and easier. Tax refunds can only be processed after employment has ended and we are aware that seasonal workers are sometimes paying high commissions to recover their refund. It is not unreasonable to suggest that seasonal workers should automatically be considered as opted-out of pension auto-enrolment given that there is virtually no likelihood that they would benefit from the current default opt-in.

An improved refund process could be achieved within existing mechanisms, such as the presentation of accurate and timely information to workers prior to arrival in the UK, and signposting to proven and legitimate tax recovery services by scheme operators. HMRC should also consider potential ways of addressing and processing tax refunds.

**A guaranteed number of weeks' work** - the Home Office has recently clarified that employers are required to pay workers a minimum of 32 hours a week at the National Living Wage for every week they are in the UK, regardless of whether work is available. We are broadly content with this arrangement as it means that workers are guaranteed an income on arrival and employers are getting privileged access to a labour market not readily available to other sectors. The additional cost may also help to encourage investments in automation.

However, there is evidence of a lack of adequate communication and consultation with scheme operators and employers by the Home Office around this requirement, and it is yet to be fully implemented in practice. Greater clarity around how this will work is needed, and employers must retain the right to release staff where there are reasonable grounds to do so. **We suggest further user consultation to better understand barriers to implementation and any risk this may potentially pose to the amount of work available to workers (through either ending placements early or avoidance of short-season crops).**

We have also given consideration to a minimum number of weeks salary, as this could help ensure that workers are not left out of pocket. **We recommend a minimum of 2 months' pay as an additional protection to cover the costs currently borne by workers in coming to the UK such as visas and flights, with an exemption where there are extenuating circumstances (for example, dismissal for poor performance).** Workers should be informed from the outset that they might not be able to work for the full validity of their visa.

## Tighten, communicate and enforce employee rights

**Enforcement** – The current enforcement landscape for seasonal work is fragmented and ineffective and does not offer an adequate safeguard of seasonal worker rights. To reduce gaps in enforcement on the scheme **we recommend that the GLAA should have statutory powers to visit farms as part of their compliance work with operators, rather than only when modern slavery issues arise.**

The roles and responsibilities of the government departments and agencies associated with the SWS should be clarified to reduce scope for confusion and establish end-to-end worker protection, including fair payment of wages. In the absence of a single enforcement body for the UK's entire labour market **we recommend closer collaboration and a more coordinated approach between the Gangmasters and Labour Abuse Authority (GLAA), UK Visas and Immigration (UKVI) and other bodies involved in seasonal worker welfare, with a published set of responsibilities for each.**

We welcome the current approach for enforcement prioritised by:

1. Welfare issues reported at the farm.
2. The size of the farm.
3. Time elapsed since the previous inspection visit.

We also welcome the previous government's announcement that it would consider extending the number of Memorandum of Understanding (MOU) agreements between the GLAA and key source countries, and hope that the new government will do the same.

Positive changes have been made to the resourcing of enforcement, including increased staffing for inspection visits and compliance monitoring. However, enforcement must also be more proactive, inspectors should have the power to fast-track cases of non-compliance with existing labour laws to the relevant bodies. Results of reports must be shared quickly to enable prompt action, and penalties for non-compliance should also be raised. There are minimum standards that we expect to be in place, with security of wellbeing for workers ensured so that their immigration status is independent of any complaint.

If a fully resourced economy-wide single enforcement body was to be created in future, then it could be used as a vehicle to incorporate the above by safeguarding seasonal worker welfare in a more efficient and effective way, and also other parts of the labour market where we have encountered migrant worker exploitation such as the social care sector.

**More information for workers** – Workers must receive detailed pre-departure information in their own language to cover their employment rights and responsibilities, the realities of the job, earnings and tax, complaints process, safeguarding procedures, healthcare, rights to transfer and to join a trade union, warnings around scams, and information on how to reclaim tax. Pension contribution opt-out should also be communicated centrally. This information should be reissued to workers on arrival in the UK. We may expect that workers will to some extent become more informed if source countries

stabilise, but even if this does happen, **we recommend that information covering employment rights and responsibilities be reissued both at recruitment and arrival in the workers own language.**

We also welcome the current use of technology in information and transparency provided by the likes of the [Just Good Work app](#).

**Data** – Better, more consistent, and more accurate Management Information-style data is needed in order to improve the safeguarding of employee welfare and to inform policy decision-making. This could include individual employee data such as where workers are based, hours/weeks/months worked, placement lengths, reasons for leaving early, transfers, pension opt out rates, income tax refunds etc. This could be provided by scheme operators and would complement existing data sources such as [Defra’s Seasonal Worker survey](#). HMRC’s visa matched data could be used to deliver better wage information by providing case level data showing pay received and hours worked as well as improved address information; data could also potentially be collected on the automation transition (e.g., output produced using automated techniques). We thank the Department for Environment, Food and Rural Affairs (Defra) for their support in providing data for this review (as well as their efforts to improve the usefulness of the information they share) and feel these changes would make effective monitoring of the scheme easier.

Audits should be treated separately. **We recommend that there be a streamlining of the data collection process involved in compliance, in particular grouping together some of the audit processes carried out by scheme operators and supermarkets.** This would also help to reduce the administrative burden faced by employers, in particular those working with multiple operators.

## **Give consideration to the Employer Pays Principle**

**Employer Pays Principle (EPP)**- We recognise that Seasonal Workers coming to the UK face a considerable financial outlay in order to do so, and that this outlay increases the risk of debt bondage and exploitation. International organisations such as the [International Organisation for Migration](#) (IOM) and the [International Labour Organisation](#) (ILO) advance the EPP as integral to ethical recruitment, arguing that the costs of recruitment should be borne not by the worker but the employer. We note that the [previous government](#) indicated that it was open to the consideration of reducing the financial costs currently being borne by Seasonal Workers via the implementation of an EPP model. **We support that further work is needed to investigate how this might work in practice for workers, employers and consumers, and how the associated costs could and should be shared along the supply chain.**

As part of the consideration of the form any such model should take, we would need to factor in other agreed aspects of the scheme such as a minimum number of weeks, whether operators can be encouraged to set up a loan scheme to support workers’ initial costs, and whether with these additions the visa presents enough of a return on investment for workers that some up-front costs are justified. The SWS Taskforce, made up of industry trade bodies, retailers, growers and recruiters, is already giving some consideration to how the EPP might work in practice by launching an [EPP feasibility study](#) and we look forward to the results of this review. However, in order for any study to have a tangible

impact it must be conducted in a timely manner; **we recommend that the sector agree a timeframe to present its EPP proposals, and in turn that rolling confirmation of the scheme past this point be dependent on this having been met.**

# Glossary

**AHDB**

Agriculture and Horticulture Development Board

**ASO**

Approved Scheme Operator

**BA**

The German Federal Employment Agency

**BRC**

British Retail Consortium

**CfE**

We ran an online Call for Evidence (CfE) for around 13 weeks between June-October 2023, comprising 3 questionnaires aimed at employers, representative organisations, and those responding in a personal capacity.

**CoS**

A Certificate of Sponsorship is a self-certifying electronic document issued by the sponsoring employer to the worker to enable them to apply for a visa.

**Defra**

Department for Environment, Food and Rural Affairs

**DLME**

The remit of the Director of Labour Market Enforcement is to examine the work carried out by the three principal enforcement bodies: the GLAA, HMRC Wage Enforcement teams, and the Employment Agency Standards Inspectorate.

**EPP**

The Employer Pays Principle states that the costs of recruitment should fall to the employer, not the employee.

**EU**

The European Union, formed of 27 Member States: Austria, Belgium, Bulgaria, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, Netherlands, Poland, Portugal, Romania, Slovakia, Slovenia, Spain and Sweden.

**EUSS**

The EU Settlement Scheme was introduced to enable EU citizens and their families to remain in the UK following the UK's departure from the EU.

**FLEX**

Focus on Labour Exploitation

**FoM**

Freedom of Movement. Within this report this is used to describe the reciprocal travel rights that existed for citizens of the UK and the EU prior to 31 December 2020.

**GLAA**

The Gangmasters and Labour Abuse Authority investigates reports of worker exploitation in England and Wales in all industry sectors. In Scotland the GLAA supports Police Scotland to target organised crime, and in Northern Ireland GLAA tackles worker exploitation, tax evasion and health & safety negligence. An NDPB, GLAA is governed by an independent board.

**HMRC**

His Majesty's Revenue and Customs is the government department responsible for the collection of taxes, the payment of some forms of state support, and enforcement of the Minimum Wage.

**IASC**

The Independent Anti-Slavery Commissioner

**ICIBI**

The Independent Chief Inspector of Borders and Immigration monitors and reports on the efficiency and effectiveness of the immigration, asylum, nationality and customs functions carried out by the Home Office. The Chief Inspector is a public appointee and independent from government; their reports are laid before Parliament.

**IHS**

The Immigration Health Surcharge is a fee paid by migrants resident in the UK for more than 6 months to access free healthcare.



**ILO**

The International Labour Organisation is a United Nations agency for the world of work bringing together governments, employers and workers from member states.

**IOM**

The International Organisation for Migration is an intergovernmental United Nations body specialising in migration and migrant welfare.

**IRIS**

IRIS is the International Organisation for Migration's initiative to promote ethical recruitment of migrant workers.

**LEAG**

Labour Exploitation Advisory Group

**LMIA**

Labour Market Impact Assessment

**LPC**

Low Pay Commission

**LWA**

The Landworkers' Alliance

**MAC**

The Migration Advisory Committee is an independent body that advises the UK government on migration.

**MOU**

A Memorandum of Understanding is a statement of intent of the commitment, resources, and other considerations that each of the signing parties will bring. It is not a legally binding document.

**NGO**

A non-profit organisation that operates independently of government, often with the purpose of addressing a social or political issue.

**NFU**

The National Farmers Union, a representation body for agriculture and horticulture in England and Wales.

**NFU Scotland**

The National Farmers Union Scotland, a representation body for agriculture and horticulture in Scotland.

**NLW**

The National Living Wage applies to most workers aged 21 or above.

**NMW**

The National Minimum Wage is the minimum pay per hour most employees between the ages of 16 and 20 receive, with rates depending on age and whether the worker is an apprentice.

**NRPF**

No Recourse to Public Funds

**PALM**

Pacific Australia Labour Mobility, a visa scheme allowing eligible Australian businesses to hire workers from 9 Pacific islands and Timor-Leste when there are not enough local workers available.

**RFI**

Organisations apply to become a scheme operator by responding to Defra's Request for Information document.

**ROTL**

Release on temporary licence, prisoners are able to leave the prison for a short time to take part in paid or unpaid work.

**RQF**

The Regulated Qualifications Framework (RQF) accredits qualifications in England, Wales and Northern Ireland.

**SAWS**

The Seasonal Agriculture Workers Scheme, the forerunner of the current Seasonal Worker Scheme. It closed in 2013.

**SCN**

Sponsor Compliance Network

**SEDEX**

Supplier Ethical Data Exchange, an online platform for companies to manage and improve working conditions in global supply chains.

**SEP**

Ireland is to trial a Seasonal Employment Permit in 2025.

**SMETA**

SEDEX Members Ethical Trade Audit, a standard widely used by retailers to ensure labour rights, health and safety, environmental impact and business ethics are managed in their supply chains.

**SOC**

Standard Occupation Code, a common classification of occupational information for the UK.

**SW**

Skilled Worker visa

**SWS**

The Seasonal Worker Scheme allows workers to come to the UK to work for up to 6 months in horticulture or approximately 13 weeks around the Christmas peak season in poultry.

**SWT**

The Seasonal Worker Team, part of UKVI, conduct visits to farms where Seasonal Workers are employed in order to check the farms are meeting their responsibilities.

**SWV**

The Seasonal Worker Visa that seasonal workers apply for when wanting to participate in the SWS.

**UKVI**

UK Visas and Immigration, part of the Home Office, is responsible for making decisions on who has the right to visit or stay in the UK.

**WoRC**

Work Rights Centre.

**ZAV**

International Placement services, a department within the German Federal Employment Agency.