



Rt Hon Robert Jenrick MP
Minister for Immigration
Home Office

cc. Rt Hon Mark Spencer MP
Minister for Food, Farming and Fisheries
Department for Environment, Food and Rural Affairs

4 August 2023

Dear Minister,

Thank you for your reply of 14 June to our letter of 11 May.

You state that the Seasonal Workers' Scheme Taskforce is the most appropriate avenue to raise and discuss issues related to the Seasonal Worker visa route. Stakeholder engagement with policy makers is of central importance to addressing the serious and ongoing issues with the design and operation of the SWS. The Taskforce is a multi-stakeholder voluntary initiative led by non-government actors. It cannot and does not set out to, or assume to be, a replacement for government responsibility for, or stakeholder engagement with government on the scheme. We would be grateful for your assurances in this regard.

It is important to underline the UK government's responsibility to prevent, protect and prosecute cases of modern slavery on the scheme. The Home Secretary made a commitment in his evidence to the Home Affairs Select Committee on the work of the Home Office, 27 November 2018 (Q673-674) to use the Reviews of the SWS as a means of evaluating the risk to workers of modern slavery. We are concerned that this has not been possible, given the absence of any such full review since the scheme was a pilot in 2019. We note the recent publication of worker surveys for 2020 and 2021, and yet these have not been accompanied by a full review for these years. It is important given the understanding of the need to evaluate the risk of modern slavery to workers on this scheme that these Home Office Reviews are produced and published; when do you expect this to happen?

Furthermore, in response to the ICIBI's recommendation that it conduct and publish a review of the Seasonal Worker visa route, the Home Office said it anticipated that this review would be completed by April 2023. We are keen to know whether this review has now been completed and, if so, when the Home Office expects to publish the findings?

You reference the GLAA's work through embassies to tackle labour abuse. On 30 May 2023 the GLAA announced that it had signed MOUs with Kyrgyzstan and Uzbekistan establishing several areas of mutual cooperation between the parties, with information-sharing about recruitment agencies sending workers from Kyrgyzstan and Uzbekistan to the UK a key priority, along with joint work to check that where recruitment agencies are used in the recruitment process, they are operating within the rules, both in the recruiting country and the UK, and are not placing their workers at greater risk of exploitation. The announcement stated that this included plans for government agencies in the two countries to operate some of the recruiting and pre-departure activities that would normally be conducted by private recruitment agencies. As far as we are aware these MOUs have not been published.

It is critical that government-to-government agreements which address abusive recruitment practices and safeguard the rights of workers are established with all participating countries in the seasonal worker scheme, and that such MoUs are made publicly available.

In respect of the Scheme Operators' (SOs) responsibilities for ensuring workers' welfare in the UK and handling worker requests for transfers, experience from some of our organisations' interactions with workers is that they are reluctant to raise complaints with SOs as they fear losing work. SOs are paid by the employers and allocating sole responsibility for worker transfers to SOs creates a conflict of interest. The lack of certainty for workers in the event that the licence of the SO who sponsored their visa is revoked is also problematic, as there is no guarantee that the workers sponsored by that SO will be able to continue working. Having published mechanisms in place so complaints do not result in workers being left in limbo and without work is key to safeguarding. The assertion that allowing workers to transfer between Scheme Operators would place them at greater risk of exploitation is at odds with our collective experience, which shows that "tying" workers to one sponsor in fact increases the risks of labour abuse, whereas greater labour mobility increases workers' capacity to exit situations of abuse, exploitation, and / or poor conditions. We believe the possibility of workers being able to transfer to another sponsor should be revisited.

Your letter mentions increased UKVI compliance capacity to monitor welfare. While we question how well placed UKVI is to monitor welfare, particularly given that workers may be afraid of making complaints to the Home Office about their visa sponsor for fear this may jeopardise their immigration status in the UK, we would be grateful for more information on this. As yet, no detail has been provided to frontline organisations who would engage with and report to UKVI officials in the event of non-compliance with the scheme. Regarding Home Office and DEFRA monitoring of SOs' adherence to requirements intended to ensure the safety and wellbeing of the seasonal workers, including the rules introduced on 12 April 2023 ensuring seasonal workers are guaranteed a minimum of 32 hours paid work each week, we are interested to understand how and by whom farm compliance with this rule is monitored, and how it interacts with piece rates?

Yours sincerely,

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