



Rooted in justice: Reimagining migration into UK agriculture

About Us

Focus on Labour Exploitation (FLEX) is a research and policy organisation working towards an end to labour exploitation. FLEX seeks to achieve this vision through the prevention of labour abuses, protection of the rights of those affected by or at risk of exploitation and by promoting best practice responses to labour exploitation through research and evidence-based advocacy.

Summary

Migrant workers in UK agriculture play an essential role in sustaining the sector. Countries that recruit workers from abroad have a duty to ensure that the labour migration routes they create do not put migrant workers at unreasonable risk of harm. However, in the UK, migrant agricultural workers face tough and restrictive visa conditions, due to the design and implementation of the UK's immigration and labour market enforcement systems. This briefing examines what fair visa conditions, worker safeguards and clear and accessible systems would look like for migration into UK agriculture as well as exploring some alternative labour migration models to the current Seasonal Worker Scheme (SWS) to offer possible opportunities for a fairer and safer system.

1. Introduction

The Migration Advisory Committee (MAC) has referred to the agriculture sector's reliance on migrant seasonal workers as “unlike any other in the UK.”¹ This is attributed to the difficulty in recruiting local labour into “physically demanding” and “low wage” work, which is seasonal and often takes place in isolated, rural locations. In contrast, according to the MAC, wage differentials with lower-income source countries make workers from overseas more inclined to take up agricultural work in the UK. With the end of free movement with the EU, the UK agriculture sector's privileged access to the recruitment of migrant labour through the sector specific Seasonal Worker Scheme (SWS) can be attributed to the many challenges surrounding food security, an issue which has been gaining increasing attention as a result of labour shortages in the food and farming sector, climate change and geopolitical insecurity.

The UK Government has a duty to address food security, which in recent years has been heavily dependent on attracting thousands of migrants to work in the sector. These workers brought to the UK to sustain the UK agricultural sector are subject to very restrictive visa conditions. The risks of labour exploitation for migrant workers on the SWS, owing to the restrictive nature of the scheme, have been continuously highlighted since the scheme was piloted in 2019.² Responding to the need for labour in agriculture in a sustainable way, requires creating decent working and living conditions for workers. This includes fair wages and access to redress, and the assurance of there being the necessary infrastructure to guarantee the rule of law, including a strong labour market enforcement system that is accessible to all workers.

FLEX's “Blueprint for safer and fairer migration for low-paid work” (hereinafter referred to as the “Safe Migration Blueprint”) considers the essential components necessary for embedding workers' rights and safe and fair practices into migration into low-paid work. The “Safe Migration Blueprint” comes from the perspective that vulnerability is not intrinsic to migrant workers. However, vulnerability can be created by decision-makers through poorly designed policies, legislation, and business models. With regards to labour migration policies, the country recruiting workers must work to ensure that the labour migration routes it creates do not put migrant workers at unreasonable risk of harm.³

Temporary migration programmes raise the risks of abuse and exploitation even further for migrant workers, with aspects of their design having the potential to compound vulnerabilities already present. Risks associated with temporary migration programs include debt bondage due to upfront migration costs, deception in recruitment, barriers to changing jobs or sectors, discrimination, temporariness and lack of pathways to permanent residency, multiple dependencies, no recourse to public funds and barriers to accessing justice. Using the “Safe Migration Blueprint” as a framework, this briefing presents the essential components that could make migration into low-paid roles in the UK agriculture sector safer and fairer for workers, paying particular attention to the evidenced ways in which the current Seasonal Worker Visa (SWV) exposes workers to high risks of labour exploitation. This briefing also considers benefits and risks of alternative models to the scheme operator sponsorship model to offer avenues to be explored for a different system.

1 Migration Advisory Committee, [Review of the Seasonal Worker Visa](#) (2024).

2 As evidenced in research studies: [Focus on Labour Exploitation \(FLEX\) and Fife Migrants Forum \(FMF\), Assessment of the Risks of Human Trafficking for Forced Labour on the UK Seasonal Worker Visa Pilot](#) (2021); Focus on Labour Exploitation (FLEX), [Bearing Fruit: Making Recruitment Fairer for Migrant Workers](#) (2024); Focus on Labour Exploitation (FLEX), [Not Here for the Weather: Ensuring Safe and Fair Conditions on the UK's Seasonal Worker Scheme](#) (2024); Focus on Labour Exploitation (FLEX), [Bound to Work: Improving Access to Redress on the UK's Seasonal Worker Scheme](#) (2024); Inga Thiemann et al., [UK Agriculture and Care Visas: Worker Exploitation and Obstacles to Redress](#) (Modern Slavery & Human Rights Policy and Evidence Centre, 2024); Catherine McAndrew et al., [Debt, Migration, and Exploitation](#) (2023). As well as casework data: Dora-Olivia Vicol et al., [Weed out Exploitation: How to Improve the Reporting of Labour Exploitation, and Protect the Seasonal Agricultural Workers Staffing Britain's Farms](#) (Work Rights Centre, 2022).

3 Focus on Labour Exploitation (FLEX), [Blueprint for Safer and Fairer Migration for Low-Paid Work](#) (2025).

2. How does the UK currently source migrant workers via the SWS to work in the agriculture sector?

The SWS is a labour migration route that facilitates the recruitment of workers from anywhere in the world to work on UK farms in horticulture (such as for picking and packing soft and top fruits, vegetables, salads and ornamental crops) or poultry production. In early 2025, the scheme was extended for another five years,⁴ with 45,000 SWVs available for 2025 (43,000 for horticulture and 2,000 for poultry).⁵ Although not the only migration route into UK agriculture, this scheme brings in the majority of seasonal agricultural workers into the UK.⁶ A small number of recruitment companies (known as labour providers or ‘scheme operators’) recruit workers from abroad, acting as their visa sponsor, and allocate the workers to UK farms where they are employed.⁷ The Home Office, who have overall responsibility over the scheme, give scheme operators the responsibility for monitoring worker welfare.⁸ The route includes a number of restrictions on workers’ rights and conditions while in the UK, which include:

- A maximum 6-month stay in any 12-month period if employed in horticulture⁹
- A maximum 3-month stay if employed in poultry production (limited to a period between October and December)
- No route to settlement
- No recourse to public funds
- No option to bring family or dependents
- Employment limited to certain agricultural roles, and only on farms where workers are placed by the scheme operator who sponsored their visa

There is vast evidence showing that these restrictive visa conditions paired with the non-exhaustive and highly complicated scheme guidance and the lack of regulatory enforcement and oversight of the scheme, creates high risks for workers. Issues faced by workers on the scheme include indebtedness and risks of debt bondage, unsafe living and working conditions, underpayment and a lack of clarity around how wages are calculated, difficulties in accessing healthcare or redress as well as difficulties leaving poor or exploitative situations, as evidenced in various research studies as well as casework data.¹⁰

4 Department for Environment Food and Rural Affairs (Defra) and The Rt Hon Steve Reed OBE MP, ‘[Environment Secretary Steve Reed - NFU Conference Speech](#)’, GOV.UK, 25 February 2025.

5 Department for Environment, Food & Rural Affairs and Daniel Zeichner MP, ‘[Government Provides Certainty to Horticulture and Poultry Businesses](#)’, GOV.UK, 21 October 2024; Department for Environment Food and Rural Affairs (Defra) and The Rt Hon Steve Barclay MP, ‘[Government Ensures Long-Term Certainty for Food Labour Needs](#)’, GOV.UK, 9 May 2024.

6 Alma Economics, [The Employer Pays Principle Feasibility Study, within the Horticulture Value Chain: Prepared for Defra and the Seasonal Worker Scheme Taskforce](#) (2025).

7 There are currently 6 scheme operators at the time of writing. UK Visas and Immigration (UKVI), ‘[Register of Licensed Sponsors: Workers](#)’, GOV.UK, 29 October 2024.

8 UK Visas and Immigration (UKVI), ‘[Workers and Temporary Workers: Guidance for Sponsors: Sponsor a Seasonal Worker](#)’, GOV.UK, 9 April 2025.

9 From 11th November 2025 this will change to a maximum 6-month stay within any rolling 10-month period. The change reduces the amount of time an applicant must be outside the UK before being permitted to apply for a new seasonal work visa from 6 months to 4 months. See: Home Office, ‘[Statement of changes to the Immigration Rules: HC 1333, 14 October 2025](#)’, GOV.UK, 14 October 2025.

10 Seasonal Worker Interest Group, [Protecting Workers on the UK's Seasonal Worker Scheme: A Call to Action for the next Government](#) (2024); Seasonal Worker Interest Group, [ODLME Labour Market Enforcement Strategy 2025/26: Seasonal Worker Interest Group Submission](#) (2025).

3. How can the UK ensure a better labour migration route for agriculture?

FLEX’s “Safe Migration Blueprint” is built on the recognition that **it is the host country’s responsibility to develop systems and procedures so that workers can move from one country to another without unreasonable risk of harm and are able to secure fair arrangements**, both financially and in terms of personal investment. To achieve this, the “Safe Migration Blueprint” identifies 3 pillars of protection for safe and fair migration (see figure 1). These pillars of protection consist of essential components that enable migrant workers to:

- Secure fair arrangements
- Effectively handle issues that arise
- Navigate the migration system with confidence

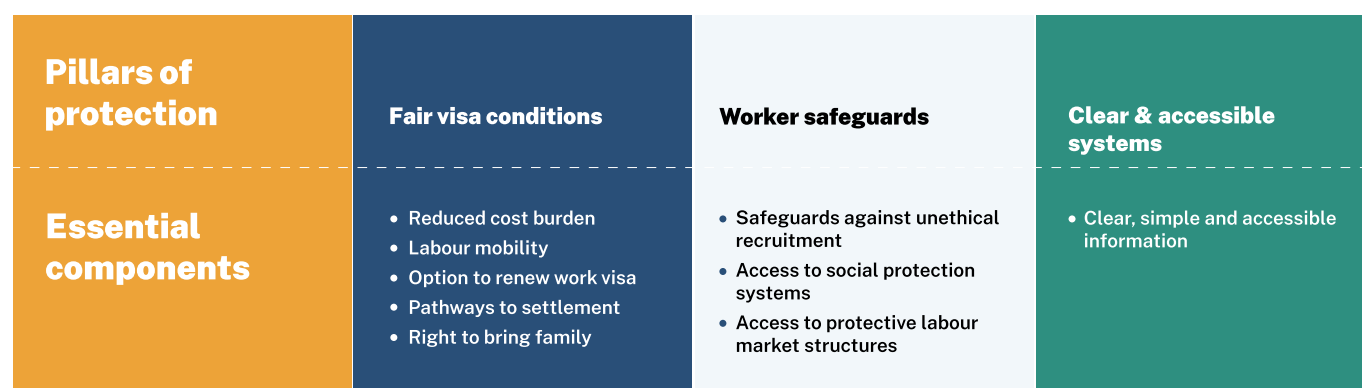


Figure 1. Pillars of protection and essential components for safer and fairer migration for low-paid workers.

3.1 What would fair visa conditions look like for migration into UK agriculture?

3.1.1 Reduced cost burden

The SWS does not currently implement an Employer Pays Principle (EPP) in line with the ILO’s general principles and operational guidelines for fair recruitment.¹¹ Instead, large upfront costs for workers are embedded into its design, creating serious risks of debt bondage. Numerous studies have highlighted workers on the SWS paying large amounts of money to come to work in the UK.¹² These costs can result in workers going into significant amounts of debt, including having to borrow money with high interest rates. Further, given that workers are not guaranteed employment for the entire duration of their visa, they can end up leaving with higher debts than when they first arrived in the UK.

Poverty and debt are widely recognised as factors that can increase risks of labour exploitation. Migrating to support UK agriculture should not be a risky investment for workers. Fair visa conditions for migration into UK agriculture must therefore include removing visa costs, ensuring recruitment fees and associated costs are banned, and covering travel and relocation costs.

11 International Labour Organization (ILO), [General Principles and Operational Guidelines for Fair Recruitment and Definition of Recruitment Fees and Related Costs](#) (2019).

12 Focus on Labour Exploitation (FLEX) and Fife Migrants Forum (FMF), [Assessment of the Risk of Human Trafficking for Forced Labour on the UK Seasonal Worker Pilot](#); Focus on Labour Exploitation (FLEX), [Bearing fruit: Making recruitment fairer for migrant workers](#).

Further action is needed to address how the sector funds the costs for workers to address labour shortages, with the financial risks of migration moved away from workers.¹³

Checklist for reducing the cost burden placed on workers:

- ✓ Remove visa costs
- ✓ Ban recruitment fees and associated costs
- ✓ Implement the Employer Pays Principle (EPP), covering transport costs and any other associated costs

3.1.2 Labour Mobility

Migration schemes that inhibit workers from leaving work can enable and facilitate the exploitation of workers. The sponsorship model of the SWS poses significant barriers to leaving work. On top of the cost burden and the risk of debt bondage outlined above, workers on the SWS can only work on farms where they are placed by their scheme operator (visa sponsor) and they cannot change scheme operator.¹⁴

One of the limited options that workers on the SWS have to leave exploitative conditions is to transfer to another farm. According to the existing SWS rules, workers have the right to make a transfer request to their scheme operator. Under scheme rules, transfer requests should be approved unless there are “significant reasons not to permit this (for example, their visa will imminently expire and the duration of the necessary training requirements would make such a move impractical).”¹⁵ However, many workers have reported instances of scheme operators refusing or ignoring transfer requests.¹⁶

The ability to leave poor or exploitative work is key to the prevention of labour exploitation. Reimagining migration into UK agriculture more widely - within or outside of the scheme operator sponsorship model - should prioritise worker mobility. Agricultural workers should be afforded time to change employers, meaning that visa conditions should allow workers to search for jobs, submit applications, and attend interviews, if necessary, without fear of losing status due to visa limitations. Labour mobility promotes workers' ability to negotiate fair terms and conditions for themselves, in turn preventing situations of labour exploitation.

13 In 2024, Defra commissioned a Feasibility Study for applying the Employer Pays Principle (EPP) within the Horticulture Value Chain. The study outlined four options for applying EPP to the scheme. See: Alma Economics, [The Employer Pays Principle Feasibility Study, within the Horticulture Value Chain: Prepared for Defra and the Seasonal Worker Scheme Taskforce](#). Yet, despite the government having stated that they “should advance responsible recruitment policies and practices”, including by supporting initiatives such as EPP, they have also stated that they have “no plans to impose EPP for seasonal workers.” See: Emiliano Mellino, [‘Farms and Supermarkets Could Pay Seasonal Workers’ Recruitment Costs, Says Report’](#), *The Bureau of Investigative Journalism*, 3 June 2025.

14 Even when scheme operators have had their licences suspended or revoked, workers have only been moved by the UK Government to other scheme operators on an extremely ad hoc basis, with no updates to official guidance regarding these instances and therefore providing no certainty and reassurance for workers. See: Baroness O’Grady of Upper Holloway, [‘HL1287’](#), Visas: Seasonal Workers: Question for Home Office, 7 October 2024; Baroness O’Grady of Upper Holloway, [‘HL2122’](#), Visas: Seasonal Workers: Question for Home Office, 29 October 2024; Grace Duncan, [‘Most Ethero/Telpasc Seasonal Workers Now with New Operator’](#), *The Grocer*, 30 August 2024.

15 UK Visas and Immigration (UKVI), [‘Workers and Temporary Workers: Guidance for Sponsors: Sponsor a Seasonal Worker’](#).

16 Focus on Labour Exploitation (FLEX), [Bound to Work: Improving Access to Redress on the UK’s Seasonal Worker Scheme](#).

The UK Government should also consider the implementation of temporary or bridging visas for those who experience labour exploitation or loss of employment and/or immigration status through no fault of their own. This would allow migrant agricultural workers to stay in the UK whilst they raise a complaint and/or apply for another visa or alternative work. Examples of this in other countries include the Reactivation Employment Permit in the Republic of Ireland and the Workplace Justice Visa in Australia.¹⁷ However any such visas must not be seen as a solution to the risk of labour exploitation in and of itself and only as an additional safeguard to the essential components for safe and fair migration. Attention must be paid to ensure such safeguards are easily accessible to workers in practice.

Checklist for ensuring labour mobility:

- ✓ Extend visa length
- ✓ Ensure workers are able to change employers, either on their own or via an independent and transparent system for managing transfers
- ✓ Guarantee time for switching employers without cutting work permit period short
- ✓ Introduce bridging visas

3.1.3 Options to renew, pathways to settlement and the right to bring family

FLEX research has consistently highlighted the risks of labour exploitation created by short-term and non-renewable visas.¹⁸ The existing UK SWV is limited to six months with the option to re-apply only after a six month “cooling off” period.¹⁹ Further, workers are not guaranteed that they will stay in the UK for the entire duration of their already short-term visa and can be dismissed at short notice at any point during their stay in the UK. This can lead to workers being less knowledgeable of their rights in the UK, due to their limited time in the country and the need to prioritise earning money. Workers also face higher barriers to enforcing their rights given that labour market enforcement systems in the UK are convoluted, difficult to navigate and may have significant waiting times. In practical terms, this means that if a worker loses their job, their visa restrictions may not allow them to remain in the country to make a claim at the Employment Tribunal, or may force them to become destitute in order to make that claim.²⁰ Extendible and renewable visas for migration into UK agriculture would provide workers with more time to inform themselves of their employment rights in the UK, as well as to find relevant support systems and enforce their rights.

17 Department of Justice, Home Affairs and Migration, [‘Reactivation Employment Permit Scheme’](#), accessed 1 October 2025; Australian Government - Department of Home Affairs, [‘Immigration and Citizenship: Bridging Visa A \(BVA\)’](#), accessed 1 October 2025; Australian Government - Department of Home Affairs, [‘Immigration and Citizenship: Australian Government Endorsed Events \(Workplace Justice Pilot\)’](#), accessed 1 October 2025.

18 Focus on Labour Exploitation (FLEX), [‘Creating a Safe and Fair UK Immigration Policy for Workers’](#) (2022).

19 The “cooling off” period will be reduced to 4 months from 11th November 2025. See: Home Office, [‘Statement of changes to the Immigration Rules: HC 1333, 14 October 2025’](#).

20 Lindsay Judge and Hannah Slaughter, [‘Enforce for Good: Effectively Enforcing Labour Market Rights in the 2020s and Beyond’](#) (Resolution Foundation, 2023).

Migrant workers in UK agriculture should also have access to pathways to settlement.²¹ This not only provides workers an opportunity to build a life in the UK, if they so wish, but also helps to provide a more experienced and skilled workforce in the sector. It also contributes to their integration in the local community and protects their right to family life. Emotional stress and social isolation can place workers at greater risk of abuse and exploitation, therefore giving migrant workers in UK agriculture the right to bring family can also help to mitigate risks of exploitation.

Checklist for providing options to renew visas, pathways to settlement and the right to bring family:

- ✓ Make visas renewable and without any “cooling off” periods, subject to ongoing employment
- ✓ Provide pathways to settlement in the UK
- ✓ Grant workers the right to bring family with them to the UK

3.2 What would worker safeguards look like for migration into UK agriculture?

3.2.1 Safeguards against unethical recruitment

The UK Government currently allows SWS scheme operators to recruit workers from anywhere in the world. Under GLAA licensing of scheme operators, licence holders are required to not use the services of unlicensed persons or businesses, whether they are based in the UK or overseas. Therefore, where scheme operators use recruitment intermediaries in source countries, those intermediaries must also be licensed by the GLAA. In addition, under GLAA licensing standards, a licence holder must not charge any work finding fees. They can however offer services which workers “would like to pay for,” provided that work is not conditional on taking up these services.²² Given the worker is dependent on the licence holder for the job, there is the potential risk for workers to be coerced into paying such fees. Further, if a government agency is involved in recruitment processes, the GLAA can apply their discretion to not require them to have a licence.²³

Countries have different practices and legislation around the use of recruitment fees and associated costs. These differences can result in a lack of clarity for workers on which fees they are legitimately allowed to be charged. This could for example be because some fees are not considered a fee for a work finding service in their home country. Additionally, the GLAA does not conduct license or compliance inspections of overseas labour providers.²⁴ Consequently, even in instances where workers have been charged work finding fees, there is not clear information on how workers would be compensated for being charged these fees.²⁵

In the case of the SWS, the UK Government’s responses to instances of potential workers being charged large sums of money by brokers overseas have been reactive rather than demonstrative of proactive safeguarding systems existing within the scheme to prevent unethical practices and to provide redress. For the effective

21 Pathways to settlement should be a maximum of 5 years and include the time spent on other visas in the qualifying period for settlement. See: Focus on Labour Exploitation (FLEX), [Blueprint for Safer and Fairer Migration for Low-Paid Work](#).

22 Gangmasters & Labour Abuse Authority (GLAA), [‘The GLAA Licensing Standards’](#), accessed 1 October 2025.

23 Focus on Labour Exploitation (FLEX), [Bearing Fruit: Making Recruitment Fairer for Migrant Workers](#).

24 Focus on Labour Exploitation (FLEX) and Fife Migrants Forum (FMF), [Assessment of the Risk of Human Trafficking for Forced Labour on the UK Seasonal Worker Pilot](#).

25 Focus on Labour Exploitation (FLEX), [Bearing Fruit: Making Recruitment Fairer for Migrant Workers](#).

monitoring of recruitment to safeguard migrant workers in UK agriculture, consideration must be given to jurisdictional issues and establishing who is responsible for the enforcement of redress. This should also include mechanisms to provide adequate compensation for workers.

For safe recruitment pathways to exist for migration into agriculture, the UK Government must be able to closely monitor recruitment practices in the UK and in the countries where workers are recruited. Effective channels of redress must be built into the migration policy for when cases of unethical recruitment practices are found within existing pathways, whether that be in the UK or abroad. Further, there also needs to be adequate funding to allow for overseas inspections of labour providers. It is also worth considering whether safe recruitment pathways may be better monitored where recruitment is limited to certain countries, for example through systems like bilateral agreements (examples explored in section 4).

Checklist for safeguarding against unethical recruitment:

- ✓ Ensure clear and accessible information about the banning of recruitment fees in workers' own languages
- ✓ Establish who is responsible for monitoring recruitment in the UK and in the countries where workers are recruited
- ✓ Provide sufficient funding and resources for overseas inspections of labour providers
- ✓ Implement mechanisms for compensation and redress for those who have experienced unethical recruitment practices

3.2.2 Access to social protections

Under the SWS, workers have no recourse to public funds (NRPF), meaning they cannot access the social security protections that exist in the UK to ensure that no one falls through the cracks due to unforeseen circumstances such as disability, illness, pregnancy, injury at work, unemployment, or old age. In addition, workers on the existing SWS can access primary healthcare through the NHS across the UK, however only workers on the SWS placed in Scotland are able to receive secondary healthcare (hospital or specialist treatment) through the NHS. The UK Government must ensure access to vital social security protections for all the migrant agricultural workers they bring to the UK and therefore provide safety nets such as access to public funds and free access to the healthcare they need.

Checklist for providing social protections:

- ✓ Ensure access to social security protections when needed
- ✓ Grant access to public funds to prevent risks of destitution
- ✓ Reinstate migrant agricultural workers' full access to the NHS

3.2.3 Access to protective labour market structures

Migrant agricultural workers can be impeded or face difficulties in accessing protective labour market structures in the UK for a number of reasons. The remote nature of agricultural work can make it difficult for workers to seek information and advice, and for trade unions to sustain engagement with the workforce. Given that the current SWS is limited to six months, this gives little opportunity for workers to join a trade union, while workers may feel membership is not worthwhile for such a limited period of time.

In addition, labour market enforcement in the UK is extremely fragmented making it difficult to navigate even for those familiar with the system. It is spread across six different enforcement agencies and falls under the responsibility of numerous government departments. Whilst the Labour Government's commitment to a Fair Work Agency (FWA) which combines three of the six current enforcement agencies is an important step towards addressing the existing state of current enforcement, there is much work to be done for UK labour market enforcement to be effective and accessible to all UK workers.²⁶

The UK must provide access to protective labour market structures to all workers. This means that sufficient resources must be directed to labour market enforcement to ensure there is capacity to conduct regular proactive inspections of farms with a focus on compliance with standards and UK laws, rather than only on breaches which reach the threshold of Modern Slavery.

In addition, simultaneous or joint operations between labour market enforcement and immigration enforcement must be stopped as they pose a significant barrier to migrant workers from reporting abuse through fear of being subject to immigration consequences.²⁷ Therefore, the separation of immigration enforcement from labour market enforcement through secure reporting pathways is vital for labour inspection to protect all workers.

Checklist for ensuring access to protective labour market structures:

- ✓ Provide sufficient resources to labour market enforcement (LME)
- ✓ Conduct regular and proactive LME inspections of farms
- ✓ End joint LME and immigration inspections
- ✓ Introduce secure reporting pathways to ensure migrant workers can report labour abuses without fear

3.3 What would clear and accessible systems look like for migration into UK agriculture?

Without effective communication and clear systems, migrant workers are at increased risk of exploitation and misinformation. When recruiting migrant agricultural workers to fill labour shortages in the sector, the UK Government has a duty to address linguistic and cultural barriers and ensure migration and safeguarding systems are accessible to workers in practice. This responsibility must not be transferred to the migrant workers.

Clear and accessible information is crucial for workers to be able to make informed decisions regarding migrating to the UK, and to plan accordingly for the future as well as to be able to enforce their rights in the UK. The UK Government should ensure terms and conditions of employment contracts are shared with agricultural workers before departure, translated into workers' native languages, with relevant information provided (e.g. employers' details, working hours, remuneration, accommodation costs and other deductions) and signed by employers and workers prior to travel. In addition, all workers must be provided with information in their own languages on employment rights in the UK and how to access support and assistance when abuse and/or exploitation occurs.

26 Focus on Labour Exploitation (FLEX), [A Single Enforcement Body: What an Effective Single Enforcement Body Looks Like](#) (2023).

27 Labour Exploitation Advisory Group (LEAG), [Opportunity Knocks: Improving Responses to Labour Exploitation with Secure Reporting](#) (Focus on Labour Exploitation (FLEX), 2020).

The Employment Rights Bill proposes changes to trade union rules in the workplace, including a new duty for employers to provide a written statement to workers of their right to join a trade union. The government must ensure that employers of migrant agricultural workers are communicating the right to join a trade union effectively, in a worker's own language. In addition, information about the role of, and contact details for independent support organisations and trade unions must be clearly advertised on farms, through effective communication channels such as via messaging apps or as a reference on payslips and in workers' own language.

The Employment Rights Bill also gives trade unions the right to request access to workplaces, even where workers are not members of their union. Employers will have to respond within a specific period of time. If no agreement is reached, the Central Arbitration Committee (CAC) will be able to order access to the workplace.²⁸ Accordingly, independent trade unions should be involved in shaping working and living conditions in UK agriculture and be enabled to help resolve workplace disputes.

Checklist for providing clear and accessible systems:

- ✓ Ensure workers receive contracts before departure to the UK, in their own language and signed by their employer before they travel
- ✓ Ensure all workers receive information in their own language on their employment rights and how to access support in the UK
- ✓ Ensure employers effectively communicate the role of trade unions and their right to join a trade union to all workers and in workers' own languages
- ✓ Facilitate unions' access to workers on farms

4. Exploring alternative models for migration into UK agriculture

Under the current SWS, workers are highly dependent on their employer and sponsor (scheme operator) for their work and life. As stated in FLEX's "Safe Migration Blueprint":

"While there will always be a level of dependency present in employment relationships, high levels of dependency, alongside other factors, can lead to heightened risks of labour exploitation. Sponsor-tied visas create an inability for workers to change jobs, employers or sponsors, making them highly vulnerable to exploitative practices."

To reduce this dependency, the government should consider different models for labour migration into UK agriculture. In this section, we consider in what ways some alternative immigration models may reduce risks of exploitation and be more compatible with the pillars of protection and essential components for safer and fairer migration for low-paid workers. When work migration policies are created, ensuring workers can exercise their full range of rights must be at the centre of the design of the system. Further, it is important to note that no labour migration route should curtail the provisions of the legal frameworks offering humanitarian protection to those in need.

28 [Employment Rights Bill](#), 2024, HL Bill 81 2024-25.

The Scottish Rural Community Immigration Pilot

In 2022 the Scottish Government submitted a proposal to the Home Office and the Migration Advisory Committee (MAC) for a pilot migration scheme into work in areas of rural Scotland, which have suffered with labour shortages due to restricted immigration following the end of free movement. The proposed pilot put forward the following conditions around residency and employment:

- **First year:** required to stay in the relevant job based in a designated Community Pilot Area (guaranteed by their employer).
- **First 2 years:** required to be employed by an employer enrolled in the Community Pilot Area.
- **First 4 years:** requirement to be employed within the Community Pilot Area.
- **After 4 years:** permanent residency and no restrictions on mobility within the UK.²⁹

Whilst the pilot was rejected by the UK Government, some of the thinking could be applied to the agriculture sector, provided some changes were made to reduce the high levels of employer dependencies in the proposal. This should include removing the requirement to be tied to a specific employer in the first year. Instead, the first two years could include a requirement to be employed by an employer in a community area. Consideration would need to be given to the size of community areas and number of jobs available, so that workers do not face difficulties in switching employers when needed.

This model could result in a more consistent and steady labour force, where farms would not need to make orders for workers as regularly. Additionally, with workers being incentivised to stay in the sector for 2 years, there would be more opportunity for them to develop their skills in agricultural work, which may further incentivise them to want to remain in the sector after restrictions ease. Further, it is also important that farms of all sizes are able to hire workers through the pilot.

4.1 Bilateral Labour Migration Agreements (BLMA)

A Bilateral Labour Migration Agreement (BLMA) is an arrangement between two nation states or agencies. The term can include both a legally binding Bilateral Labour Agreement (BLA) or a Memorandum of Understanding (MoU). The content of a BLMA can cover the arrangements for a particular labour migration route but can also cover other migration related agreements between the two parties, such as agreements on irregular migration and deportation. In the context of migration into agricultural work in the UK, consideration should be given to the benefits of BLMAs, in particular of the legally binding nature.

The ways in which BLMAs are governed can vary greatly. In some cases, governments take the lead in the mediation and implementation, in others, there may be strong involvement from private actors within these processes. In the case of South Korea's Employment Permit System (EPS), the government and not the private sector is responsible for recruiting and managing migrant workers. It utilises an existing government body called the 'Ministry of Employment and Labour', initially set up for domestic workers, to implement EPS and also includes a support centre for foreign workers within its remit.³⁰

Some common aspects of BLMAs include screening, orientation and training for workers within their country of origin and sometimes stipulate particular worker protections or visa support within the country

29 Scottish Government, [Scottish Rural Visa Pilot Proposal](#) (2022).

30 Yoonyoung Cho et al., [Bilateral Arrangement of Temporary Labor Migration: Lessons from Korea's Employment Permit System](#) (World Bank, 2018).

of destination.³¹ For example, the agreement between Mexico and Canada for the employment of Mexican seasonal agricultural workers in Canada, outlines the proscribed rest-days for workers, the conditions for overtime, wages, the provision of health insurance and the process for workers to be able to change employers.³² Where BLMAs are in place for seasonal work, this usually grants the worker a longer stay in the destination country than that of the UK's SWS. For example, the GECCO order stipulates that Moroccan workers can work in Spanish agriculture for 9 months out of the year over a 4-year period. The visa can also be renewed; however, the renewal process depends heavily on the employer's will.³³

It is worth noting that at present, many BLMAs are based on an employer-tied system where the employer is also the visa sponsor, including the examples mentioned above in this section. Employer-tied visas are widely recognised as resulting in a high risk of exploitation, due to preventing workers from being able to leave problematic or exploitative employment situations. An earlier iteration of the UK SWS, called the Seasonal Agricultural Workers Scheme (SAWS), included an employer-tied visa. The current SWS removed direct employer sponsorship as it was documented from the SAWS that this created heightened risks of exploitation for workers. Consequently, this condition should not be included if BLMAs into UK agriculture were introduced.

A well designed BLMA that has workers' rights at its centre, should guarantee migrant workers' access to UK employment standards and make them enforceable in practice. A BLMA could also help to remove some of the dependencies that exist at present in the SWS. For example, BLMAs could include transparent processes for workers to be able to change employers of their own volition, that do not put the worker's immigration status at risk and does not rely on a private labour provider to facilitate switching jobs. Rather than outsourcing responsibility for worker welfare to scheme operators, having BLMAs in place should encourage the UK Government to take more accountability for the welfare of those that migrate through the agreement. As opposed to the existing system within the SWS, whereby workers can be recruited from anywhere in the world, having BLMAs in place would result in a narrowing of countries recruited from. Provided that adequate due diligence is done for each new BLMA, this should allow for a better linguistic and cultural knowledge of the country/countries the UK recruits from. This should in turn lead to progressively better communication, improved access to information and clearer complaints mechanisms and avenues for redress for workers.

The Platform for International Cooperation on Undocumented Migrants (PICUM) has also highlighted some of the potential risks and pitfalls for countries engaging in BLMAs. Chief among these is the risk of a BLMA being used as a powerful instrument for foreign policy instead of a system for safe and fair migration. For example, within the EU, there are examples of BLMAs being used to reward countries that cooperate with deportations of their nationals.³⁴ Conversely, this can mean increased restrictions for people from countries that are not seen as cooperating with return or deportation processes. It can also lead to changes in circumstances for workers when unrelated changes in relationships take place between the countries involved in the agreement, for example if diplomatic relationships become strained.

It is also worth noting that, as with any migration scheme, BLMAs operate within the geopolitical system within which we find ourselves, where power imbalances exist between different nations. Governments arranging BLMAs may exploit such power imbalances in their negotiations. The involvement of trade unions

31 Yoonyoung Cho et al., [Bilateral Arrangement of Temporary Labor Migration: Lessons from Korea's Employment Permit System](#).

32 Government of Canada, [Agreement for the Employment in Canada of Seasonal Agricultural Workers from Mexico](#) (2013).

33 Directorate-General for Migration and Home Affairs, ['Spain: New Order for Migrant Employment and Circular Migration'](#), European Commission, 13 January 2025.

34 Platform for International Cooperation on Undocumented Migrants (PICUM), [Designing Labour Migration Policies to Promote Decent Work](#) (2021).

and other relevant worker representative groups in the negotiation and monitoring of BLMAs could help to mitigate this risk. The International Trade Union Confederation (ITUC) has called for such practices to ensure migrants' access to social protection systems. They also note existing examples of trade unions signing bilateral agreements or undertaking joint initiatives 'to effectively reach out to migrant workers across borders'.³⁵

Trade unions defending agricultural workers' rights across borders

In 2023, Moroccan trade union FNSA and Spanish trade union SOC-SAT set up a joint initiative across borders.³⁶ The project involved union organisers from FNSA being embedded within SOC-SAT for a growing season in order to fight for the labour rights of Moroccan women working in agriculture in Huelva, Andalusia. The trade unions recognise that Spanish labour laws are not protecting migrant workers in the region, where workers face poor and unsanitary living conditions, excessive working hours and unpaid overtime, illegal wage deductions, being forced to work without necessary protective equipment as well as harassment and abuse. Given there is a bilateral labour migration agreement (BLMA) between Spain and Morocco that facilitates the recruitment of predominantly Moroccan women into seasonal agricultural work in Spain, the trade unions demand to be represented within that recruitment process. SOC-SAT is also implementing the Worker-Driven Social Responsibility (WSR) model for farmworkers in Almeria to explore how enforceable worker-driven standards can protect workers' rights and improve conditions.³⁷

Joint initiatives between trade unions across borders could be built into a well-designed BLMA, to ensure that trade union involvement and the protection of workers' rights is enshrined in all stages of the negotiation, design, implementation and monitoring of the agreement.

Additional issues with BLMAs include the potential for migrant workers within the same workplace to have different working conditions based on their nationality. PICUM have also highlighted the risk of BLMAs being developed in close conjunction with the private actors wishing to employ migrant labour, and therefore being designed with a strong bias towards the interests of private actors rather than a fair system for workers.³⁸ In this way, BLMAs do not automatically create increased government accountability, transparency or oversight, but, as with any system, close attention must be given to the ways they are designed, negotiated, implemented and monitored to ensure a safe and fair system for workers. Similar to the above, the involvement of trade unions and other worker representative groups could ensure governments mitigate this risk.

The United Nations Network on Migration has written detailed guidelines on preparing for, negotiating, implementing and monitoring bilateral agreements. Whilst their guidelines stipulate the general principles of human and labour rights which should apply to all BLMAs, it also highlights there are specific issues for seasonal workers that must be considered "due to additional labour migration challenges" (see box below). If the UK Government were to enter into a BLMA with another country for the recruitment of workers into UK agriculture, the BLMA must cover the below and also include the essential components of safe and fair migration outlined in the "Safe Migration Blueprint" and in the previous section.

35 International Trade Union Confederation (ITUC), [Ensuring Migrants' Access to Social Protection](#) (2021).

36 ['Strawberries That Taste of Blood'](#), CETIM, 18 July 2023.

37 ['Funding Secured to Explore WSR Program Development in Spanish Produce Industry'](#), Worker-Driven Social Responsibility Network, 1 April 2024.

38 Platform for International Cooperation on Undocumented Migrants (PICUM), [Designing Labour Migration Policies to Promote Decent Work](#); Solidar, [The EU Talent Partnerships](#) (2021).

The United Nations Network on Migration state that BLMAs for seasonal work should include:

- Measures for ensuring that migrant workers are aware of and able to access their rights. These include:
 1. Providing detailed information to migrant workers about their rights at work, and how to enforce them;
 2. Organising free language training pre-departure or upon arrival;
 3. Providing a contact list of organisations that can support migrant workers;
 4. Procedures for safe reporting of labour abuses;
 5. Reaching out, interviewing and assisting migrants in safe and neutral environments (not at the workplace) and with adequate language and cultural mediation.
- Workers' organisations, migrants' associations and NGOs can help ensure that migrant workers are protected, know their rights and provide support in case of complaints;
- Clear identification of authorised labour intermediaries to prevent abusive recruitment procedures;
- Detailed indications on travel and transportation to the workplace, accommodation, etc;
- Labour inspection mechanisms for ensuring that the rights of migrant workers are effectively implemented, as appropriate;
- Modalities for changing jobs or sectors, especially when migrant workers are subjected to abusive working conditions;
- Mechanism for ensuring the respect of OSH rules in the economic sector of reference and modalities for compensation in case of occupational accidents and diseases;
- Provision of measures to be adopted in specific circumstances, such as the COVID-19 pandemic, offering financial support and health services.³⁹

4.2 A Common Sponsorship visa for work in UK agriculture

In response to the severe exploitation faced by many care workers on the Health & Care Worker Visa (H&CWV) resulting from their multiple dependencies on their employers for work and their right to stay in the UK, the trade union Unison has campaigned for a certificate of common sponsorship for the social care sector.⁴⁰ The idea behind common sponsorship is that the visa sponsorship relationship is re-examined. In the case of the care sector, Unison advocated for a “sector-wide sponsorship scheme run by an independent body with a health and social care focus. That would enable overseas staff to leave bad employers and find work with better ones.”⁴¹

Similarly, a certificate of common sponsorship could be created for the agriculture sector whereby an independent body within the agricultural sector sponsors or endorses all the visas in the sector. Without an existing example in place, it is more difficult to thoroughly assess the potential benefits and risks. Looking at existing work visas in the UK that do not use the sponsorship model could be a good place to start.

39 United Nations Network on Migration, [Guidance on Bilateral Labour Migration Agreements](#) (2022).

40 Unison South West, [‘UNISON South West Motion on Migrant Workers Passes at National Conference’](#), 19 June 2025.

41 UK parliament, [‘Certificate of Common Sponsorship Volume 760: Debated on Wednesday 22 January 2025’](#), Hansard, 22 January 2025.

For example, the Youth Mobility Scheme Visa (YMSV) and the Global Talent Visa (GTV) do not require applicants to have a Certificate of Sponsorship (CoS) or a job offer in order to apply for the visa.⁴² The GTV requires applicants to be endorsed by a relevant endorsement body in the fields of academia and research, arts and culture or digital technology. The YMSV has no such licensing or overseeing bodies involved in the application process but does however apply a limit to the number of visas that can be granted to people applying from the respective countries that are part of the scheme. Learnings from the implementation of these two routes could be applied to migration into UK agriculture, whereby workers are required to be endorsed or sponsored by a relevant body in the agriculture sector, with a limit on allocation per year.

Such a scheme would remove reliance on private scheme operators for changing employers, and workers would not be limited to work on farms that have agreements in place with their particular scheme operator. The sponsoring body would also not be led by commercial interests, ensuring private as well as workers' interests are considered in a more balanced way, offering more neutrality in decision-making processes. Centralising sponsorship to one body could also help to minimise discrepancies between different practices from different private scheme operators. Like with BLMAs, there is also the potential for having one centralised body to lead to more attention being given to the linguistic and cultural mediation needed for recruiting from abroad, which could in turn lead to better communication, improved access information and clearer complaints mechanisms and avenues for redress.

5. Conclusion

The migration system used to recruit migrant workers into UK agriculture must be designed to be safe and fair for workers. This means that ensuring workers can access their full range of rights and are given decent work must be embedded into the design of the route. While the SWS builds on the analysis of risks in previous agricultural routes, responding to labour crises with short-term and restrictive visas undermines the UK's responsibility to ensure that labour migration routes into the UK do not put migrant workers at unreasonable risk of harm. The existing SWS should be overhauled in its entirety and thorough consideration should be given to the opportunities for a different system explored in this briefing. Elements of the alternative models mentioned could be combined into a better-informed model, ensuring that any new labour migration routes into UK agriculture are designed with workers' rights at the centre. FLEX's "Blueprint for safer and fairer migration for low-paid work" provides a clear framework for the essential components that must be included. It is also imperative that poorly planned schemes like the SWS are not applied to other sectors in the UK as an "easy" fix to labour shortages.

42 See: GOV.UK, '[Youth Mobility Scheme Visa](#)', accessed 1 October 2025. See also: GOV.UK, '[Apply for the Global Talent Visa](#)', accessed 1 October 2025.