

# **Agriculture Industry Advisory Committee**

**AIAC 060607:**

**Migrant working in agriculture**

# Background: Changing world of agriculture

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- Decline in full-time employment
- Increase in self-employed / family / hobby farming
- Increasing contractorisation
- Increasing casual and temporary working
- Multi-ethnic / multi-cultural workforce
- Migrants
  - EU expansion
  - Asylum seekers
  - Illegal immigrants

# Concerns about temporary (including migrant) working

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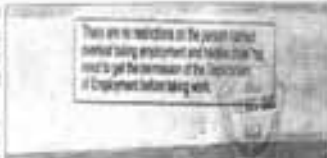
- Abuse (extreme) of workers
- Sub-contracting:
  - Farmer-to-farmer loans
- Illegal working / false ID
- VAT, PAYE, Benefit Fraud etc.
- Links to organised crime
- Low wages / bonded labour
- Working / living conditions / quality of life
- Poor occupational health, safety and welfare provision

# Pre-2004



# ILLEGAL JOBS MARKET SCAM

HUNDREDS of people are working illegally in Bedfordshire - and the Home Office apparently could not care less.



Target paper: This can be obtained for an 80c fee

Bedfordshire on Sunday gave details of illegal workers in the Home Office press office including company names, individual names, the national insurance numbers being used and employer codes.

The newspaper also showed signs of a paper doctored and in an attempt to mislead.

When this is read, the newspaper appears to have been doctored.

- Legal documents are available in Bedfordshire.
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## Refuse idea rubbish

**CONSERVATORIES DOORS & WINDOWS**

100% GUARANTEE

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# Anger over the farm illegals

Workers who take the place of Britons



**THE strawberry pickers at Elwell Farm (Bedfordshire) perfectly fit the agriculture and horticulture sector jobs that are being taken by illegal immigrants.**

The 20 workers on the farm in Fenny Stratford, near Milton Keynes, come from Poland, Slovakia, Bulgaria, Latvia and New Zealand.

But of great concern, all the workers were equipped with documents, some genuine through the Seasonal Agricultural Workers Scheme, which allows a farmer to employ foreign labour abroad, mainly to harvest crops.

All and some of the workers picking would have been

supernumerary or in breach of the law.

The conditions imposed by the State Farm workers do not match the standards set by illegal immigrants who are forced to work in the fields and in the fields where health and safety issues are ignored and food is not eaten.

Their plight is being highlighted by the fact that in June, when 10 Chinese labourers were found to have been working on the farm, the Home Office was alerted to the fact that the workers were not on the list of permitted workers.

Parliament in Bedfordshire was alerted to the fact that the workers were not on the list of permitted workers.

**'Misery for the exploited'**

The workers were employed in the strawberry picking sector, which is a highly seasonal and often physically demanding job.

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Supermarkets 'must share blame'

The MP said supermarkets had helped because of the way supermarkets have fully stocked their shelves with fresh produce, fruit and vegetables every day a week.

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## Hain 'soak the rich' call

# Ruthless gangmasters and £14 a day - how an army of immigrant workers puts food on your plate



**T**he mile inside Coventry, where a food giant's egg factory, fish and beef plants, and a new poultry plant, is almost invisible to the eye. The area is a maze of concrete and steel, with a high security fence, the private cars of food giants, and the omnipresent sign of the British flag.

Around the corner of the quiet road, the industrial landscape opens up. There are fish and beef plants, and a new poultry plant. The area is a maze of concrete and steel, with a high security fence, the private cars of food giants, and the omnipresent sign of the British flag.

**SPECIAL INVESTIGATION**  
by Olivia Stewart-Liberty  
and Sarah Oliver

On the edge of the field, two battered white motorised food carts. It looks like a low-pressure water jet. It looks like a low-pressure water jet. It looks like a low-pressure water jet.

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# In a whole year, one boss is convicted over illegal workers

By Matthew Hickey  
Home Affairs Correspondent

NEW figures show that just one employer was convicted of giving jobs to illegal immigrants in the course of an entire year.

The revelation comes despite an increase in prosecutions by thousands of employers of immigrants giving work illegally in Britain. Last month, a damning Home Office report accused the Government of taking little or no action to stop the practice.

Home Office figures show that just one employer was convicted of giving jobs to illegal immigrants in the course of an entire year. The report also shows that the number of employers giving work illegally to immigrants has risen by 10 per cent since last year.



**Immigration staff are not interested, says jobs agency chief**

**KEN BLOUNT** runs a recruitment agency in Brighton and knows all first-hand how ineffective the Home Office is at finding illegal foreign workers.

Ken Blount runs a recruitment agency in Brighton and knows all first-hand how ineffective the Home Office is at finding illegal foreign workers. He says that the Home Office is not interested in finding illegal workers and that the immigration staff are not interested in finding illegal workers.

Ken Blount: 'We weren't happy'

but the broad aim of daily being a legal immigrant.

This is not a Government which is serious about stopping the illegal immigration of workers in Britain, says a leading immigration expert.

Labour's immigration minister, David Blunkett, said last month that the Government was not serious about stopping the illegal immigration of workers in Britain.

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**'Labour is all spin and froth'**

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# HSC/E: Temporary and migrant working issues



- Indigenous / EU / non-EU:
  - Barely visible / Hard-to-reach
- Anecdotal -v- objective evidence of risk:
  - Accidents / ill health / complaints
- Inadequate provision of health and safety induction training / supervision etc.
- Cultural issues e.g. approach to hazard and risk
- Uncertain employment / immigration status makes them vulnerable to exploitation:
  - Fear of deportation
  - On health, safety and welfare grounds
- Language



# Extent of the problem

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- Who are they?
- Where are they?
- How many of them are there?
- What are they doing?
- What risks are they exposed to?
- Are they at greater risk than the working population generally?
- If so, why?
- What are their information / training / supervision needs?

# Who, where, what, how many and what risks?

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- Research:
  - Defra (Precision Prospecting)
  - HSE (London Metropolitan University)
- Other sources:
  - Gangmasters Licensing Authority (GLA)
  - NACAB
  - RDAs
  - TUC
  - LAs

# Research results

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- Numbers
- Distribution
- Work activities /skill levels / previous experience
- Duration of residence
- Issues:
  - Language
  - Culture
  - equivalency
- Information and support needs

# HSC Strategy (2004 -)

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- Basic principles:
  - Health and safety as a cornerstone of a civilised society
  - Health and safety integral to managing business
  - Legal protection irrespective of employment status
  - Develop new ways to establish and maintain an effective health and safety culture in a changing economy:
    - Partnership working
    - Hard-to-reach groups

# Drivers

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- Morecambe Bay
- Other incidents:
  - Worcester railway fatalities
  - NE road transport fatalities
  - Portuguese agricultural workers
- Sheridan Bill - GLA
- Political + stakeholder concerns
- Racial equality
- Cross-government initiatives:
  - Operation Gangmaster / GAIN / JWEP

# HSE's approach

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- Programmes of action in priority industries
- Research:
  - Scope the problem
  - Identify:
    - Sources – nationalities
    - Key information needs:
    - Effective delivery mechanisms
      - Bomel research
- Partnership working:
  - Developing guidance
  - Information sharing
  - Enforcement

# Partnership working

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- Industry stakeholders
- Social partners
- Supply chain:
  - BRC / FPC
  - ETI
- GLA + OGDs
- NACAB
- Police
- Ethnic minority representatives

## What it means in practice

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- Proactive inspection / investigation activity
  - Information exchange and intelligence
- Working with the supply chain, labour providers / labour users to raise standards
- Active support for Gangmaster (Licensing) Act 2004 and the GLA
- Joined up enforcement
- Guidance to clarify the roles and responsibilities of duty holders:
  - AIAC Working Group

# Guidance

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- Clarifying roles / responsibilities:
  - Labour providers / labour users
  - Legal / Control
  - Contracts / Service Level Agreements
- GLA Licensing Standards:
  - Risk assessments - prioritise / focus on key issues
  - Risk control measures:
    - PPE
  - Instruction, training and supervision:
    - Language
    - Delivery mechanisms
- Management – monitoring / reviewing

# Inspection and enforcement

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- Temporary and migrant working project:
  - 3-5 years
  - Virtual team
  - Workstreams:
    - Intelligence sharing and exchange
    - Proactive inspection activity
    - Accidents, complaints and follow up to intelligence (GLA / JWEP)
    - Hampton

# Finally



- Questions
- Discussion