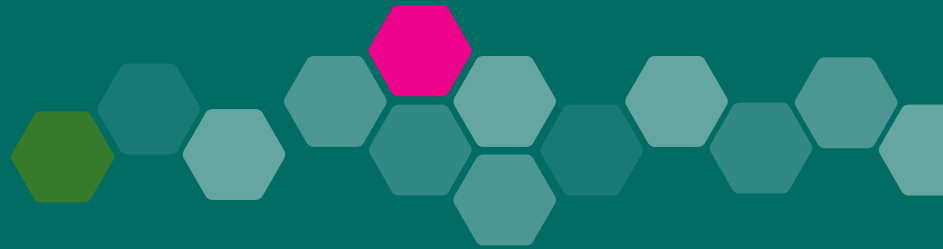


Seasonal Migrant Workers in Scottish Agriculture



AGRICULTURE, ENVIRONMENT AND MARINE

Seasonal Migrant Workers in Scottish Agriculture



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Authors-

Diffley Partnership: Megan Dickson, Mark Diffley, Fiona Hutchison and Mhairi McFarlane

University of Strathclyde, Fraser of Allander Institute: Stuart McIntyre

University of Aberdeen, School of Geosciences: Katrin Prager



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Views expressed in this report are those of the researchers and do not necessarily represent those of the Scottish Government or Scottish Ministers.

List of Acronyms

ALP – Association of Labour Providers

CSS – Casual and Seasonal Staff

DEFRA – Department for Environment, Food and Rural Affairs

DK – Don't Know

EU – European Union

FMF – Fife Migrants Forum

FLEX – Focus on Labour Exploitation

GLA – Gangmasters Licensing Authority

HM – His Majesty's

NFU - National Farmers Union

NFUS - National Farmers Union Scotland

RAG - Research Advisory Group

RESAS - Rural & Environmental Science and Analytical Services

RSABI - Royal Scottish Agricultural Benevolent Institution

SASA - Science and Advice For Scottish Agriculture

SAWB - Scottish Agricultural Wages Board

SWP - Seasonal Workers Pilot or Seasonal Workers Programme

SWV – Seasonal Workers Visa

Highlights

What were we trying to find out?

This research on agricultural seasonal migrant workers in Scotland provides an update on two previous research projects: the 2018 [‘Farm Workers in Scottish Agriculture’](#) report and the 2021 [‘Assessment of the risks of human trafficking for forced labour on the UK Seasonal Workers Pilot’](#), which highlighted vulnerabilities of seasonal migrant workers. This current research aimed to explore the number and demographic qualities of agricultural seasonal migrant workers in Scotland, and secondly to understand both the experiences of employers and seasonal migrant workers and thirdly, to provide information on the long-term prospects and viability of this sector.

What did we do?

The researchers firstly looked at the existing literature to understand gaps in knowledge about seasonal migrant work in Scotland and to design ways to collect further information. Secondly, they surveyed and interviewed stakeholders, including employers of agricultural seasonal migrant workers, as well as seasonal migrant workers themselves. Thirdly, macroanalysis techniques were used to model the number of agricultural seasonal migrant workers.

What did we learn?

Seasonal migrant workers are crucial to farms with seasonal crops which cannot be mechanically harvested as there is an insufficient domestic workforce. Labour restrictions and issues with the Seasonal Workers Pilot visas pose risks to this subset of the agricultural sector. Returnees are highly valued and recruitment methods are influenced by the relevant migration schemes in place.

There was a large spread of ages from workers who responded to the survey, and around four in ten were women. Large proportions of workers were from Romania, Bulgaria and Ukraine. The most common ways to fund travel to Scotland or the UK are through savings (60%) and credit cards (45%). Most come to Scotland because working there has been personally recommended to them. The potential to earn is a key motivation. Workers tend to stay in caravans on site and work on tasks such as harvesting or picking crops. With clear advanced information on their living and working conditions, they can be satisfied with their experiences. Many have low levels of English language. The most beneficial aspect of working in Scottish agriculture was the ability to earn a good income. The vast majority (96%) of seasonal migrant workers were satisfied, including 38% very satisfied, with the working conditions on the farm. Seasonal agricultural migrant workers generally reported positive experiences of working hours, although just under half would prefer more hours. Pay ranged from £8.91 to £13.75 per hour. The worker survey found accommodation was usually provided by employers, and accommodation provision costs tended to be deducted from pay. On average, seasonal migrant workers paid £62 per week for their accommodation. Responsibility for arranging accommodation largely rests on employers. Most workers (87%) were satisfied with

accommodation while 13% were dissatisfied with their accommodation. Workers' challenges mainly included missing family or friends, language barriers and unpredictability of Scottish weather. Other less prevalent challenges were costs of accommodation, high workload/fatigue, isolation, and distance to urban centres and the (typically six month) time limitations posed by visa restrictions.

We learnt that, without regular and robust data collection, it is difficult to definitively measure the number of seasonal migrant workers in Scottish agriculture.

What does the report recommend?

This report recommends continued joint efforts between private, public and third sector stakeholders to further improve the experience of workers in line with Fair Work dimensions.

UK Government should consider the Scottish agricultural sector in future policy making, closely involve Scottish agricultural representatives in shaping future schemes and ensure any measures put in place are informed by evidence and are experience-based, with sufficient notice given of changes to visa schemes.

Scottish Government should consider how the “tolerable standard” regulations could be applied to temporary accommodation and who would be best placed to do the inspections. It should gain key data year on year directly from farms on numbers of seasonal migrant workers and should promote existing support and clarify that making support available to agricultural seasonal migrant workers is the responsibility of any organisation interacting with these workers.

Recruitment agencies should be as clear as possible on wages and what is included. They should offer more targeted and quality recruitment in fewer countries, and should ensure that Fair Work is at the forefront of practices.

Employers should adhere to the Fair Work First Guidance by Scottish Government, treat their workers with dignity and be as clear as possible on wages and living costs. They should also continue to upgrade on-site accommodation, inviting workers suggestions and enable regular communication with absent friends and family. Employers should acknowledge and promote their responsibility to provide workers with support. Employers should also continue to monitor technical advances as an alternative to hand picking.

Third sector organisations should offer support around the pressures on workers due to insecurity of income. Possible collaboration with debt advice organisations may be beneficial to inform this support. They should offer workers the chance to give anonymised feedback of how experiences relate to the Fair Work Framework.

What happens now?

This report will be disseminated and discussed by Scottish Government and other interested organisations. UK Government, Scottish Government, employers and third sector organisations should consider the recommendations in this report.

Executive Summary

Introduction

This research focuses on agricultural seasonal migrant workers in Scotland and was commissioned to address four research aims, namely to:

1. estimate the number and demographic characteristics of agricultural seasonal migrant workers in Scotland,
2. understand the experiences of agricultural seasonal migrant workers, including their general wellbeing, ease of obtaining work permits and visas, working conditions and pay, and how these compare with other European countries, among other considerations,
3. understand the experiences of employers in the sector, including recruitment practices and requirements, administrative challenges associated with EU Exit and COVID-19 and delivering high-quality employment opportunities,
4. consider the long-term prospects and viability of the industry — including wages and employment standards, the sector and Scotland's competitiveness, regulations and requirements relating to COVID-19 and EU Exit, among others. These would cover all relevant perspectives, including those of employers, employees, regulators, stakeholders, and consumers.

Methods

Five research methods were designed to gather views from workers, employers and other stakeholders:

1. evidence review, with 40 sources in total,
2. stakeholder interviews, with 14 individuals,
3. employer survey, with 1089 respondents,
4. worker survey, with 439 respondents,
5. worker interviews, with 3 individuals.

Macroanalysis techniques were used to see if the number of agricultural seasonal migrant workers could be arrived at using modelling techniques.

Key Findings: Drivers for agricultural seasonal migrant labour

It was clear that seasonal migrant workers are currently crucial to farms with seasonal crops which cannot be mechanically harvested. Technical advances were mentioned as a potential solution but are much further into the future as mechanisation is not currently developed for these types of crops to good standard, or at a viable cost. Currently harvesting perishable items (i.e. soft fruits) requires hand picking. The seasonal agricultural sector in Scotland has an insufficient

domestic workforce resulting in high dependency on migrant workers. Returnees are highly valued and recruitment methods are influenced by the relevant migration schemes in place.

Wider literature highlights the fluctuations in worker numbers due to schemes and regulation for movement of labour at a UK-level and the economic context in home countries.

All stakeholders interviewed stated that seasonal migrant workers were in high demand within the agricultural sector in Scotland and the wider UK. As found in the evidence review, the main reason for this demand was lack of availability of non-migrant seasonal workers.

In interviews, people explained how demand, or even dependency, on seasonal migrant workers applied to farms planting and harvesting the type of crops which could not be mechanically harvested. Most workers were employed in the fruit sector (81%).

Technological solutions cannot currently solve the labour shortage gap, but advances in technology should be monitored. In the meantime, the risk is that without the right volume of labour, at the right time, these types of farms may become unviable in Scotland.

Employers of seasonal migrant workers reported serious negative consequences for their businesses should they not be able to access this type of labour. This included downscaling business, focussing on non-agricultural activities, switching to other agricultural activities (e.g., cereals or livestock) and ceasing current activity.

Stakeholders and employers emphasised the need for labour to produce food to benefit local and national economies. Sourcing local food is important for environmental sustainability and food security.

Key Findings: Number and demographic qualities of agricultural seasonal migrant workers in Scotland.

Previous studies focus on shifts in demographics, especially country of origin of workers. Large proportions of workers responding to the Worker Survey were from Romania, Bulgaria and Ukraine (21%, 18% and 17% of respondents).

There was a large spread of workers' ages responding to the survey. Ages ranged from 18 to 62, with an average age of 33 years. Most of the workers were men, however there was a high prevalence of female migrant workers (42%). The pen portraits included in this report highlight the lived experience of three female seasonal migrant agricultural workers.

Literature confirms that numbers are difficult to establish. This research included Fraser of Allander Institute's experimental modelling to see if this technique could be used to reach an estimate for the number of seasonal migrant workers in Scottish agriculture for 2021.

Key Findings: Experiences of employers in the sector

The evidence review highlighted fluctuations in migrant workers caused by regulation of labour movement at UK-level and the economic context in home countries.

Employers explained that there were both advantages and disadvantages to labour recruitment through agencies. All those interviewed, including employers and recruitment agencies, called for more notice on any restrictions and quotas.

Studies in this area highlight that recruitment has UK-based and home-country based dimensions. These involve various agencies beyond the employer and the worker themselves.

Studies also explain that recruitment is complicated by the seasonal nature of the work, for example weather dependency. It is also impacted by competition for labour with other sectors and with other countries.

In summary, employers are dealing day to day with managing their farms, their crops and their resources in order to fulfil orders. Labour restrictions represent a significant risk to this sub-set of the agricultural sector.

Key Findings: Experiences of agricultural seasonal migrant workers

The evidence review highlighted concerns about the exploitation of seasonal migrant workers in the UK.

At the same time, the review indicated there was little primary research with agricultural seasonal migrant workers in Scotland. Authors highlighted concerns that human trafficking and that 'human rights of newcomers to the country' are not being upheld in practice. Some literature emphasises the societal benefits of immigration, recommending more integration. There are both positive and negative accounts of seasonal migrant worker experiences in Scottish agriculture, based on limited primary research.

This current research found that workers mostly come to Scotland because it has been personally recommended. They tend to stay in caravans on site and work on tasks such as harvesting or picking crops. With clear advanced information on their living and working conditions, they can be satisfied with their experiences. Many have low levels of English language. The most common ways to fund travel to Scotland or the UK were using savings (60% of all respondents) or credit cards (45% of all respondents). The most positive/beneficial aspect of working in Scottish agriculture was the ability to earn a good income.

Within this research project, stakeholders reflected that managing volatile picking requirements day to day had implications for workers. On one hand, they may be needed to work overtime and could earn extra through productivity bonuses. Alternatively they may not have any tasks and not have the opportunity to top up the minimum pay. This current research showed that just under half would prefer more hours.

Primary research with workers provided key details on their tasks, hours, pay and accommodation.

Tasks depend on whether they are a returnee:

- Those in Scotland for their first year carried out a different range of tasks compared to those with any previous experience.

Hours vary:

- The worker survey found that respondents worked for an average of 43 hours working in a typical week.
- Just over half (53%) of seasonal migrant workers were happy with the number of hours they work whilst 46% would prefer more hours.
- Stakeholders explained that due to weather and supply chain factors, the actual volume of work could be hard to predict and subject to change. Employers confirmed that matching labour need to labour availability on-site was a continuous challenge for farms.
- These findings point to potential benefits of providing options for labour sharing across farms, for example for workers who wish to work more hours.

Pay amount and costs vary:

- For employers of seasonal migrant workers, the survey found pay ranged from £8.91 to £13.75 per hour.
- Workers reported they were paid on average £10.22 per hour.
- However, looking at the pay itself does not provide the full picture. The worker survey found accommodation was usually provided by employers, and accommodation provision costs tended to be deducted from pay.
- On average, seasonal migrant workers paid £62 per week for their accommodation, although costs ranged from £30 to £300.

Stakeholders/Employers were generally satisfied with the pay system for seasonal migrant workers and were positive about the arrangements in place compared to England, with Scotland having the SAWB and Agricultural Wages Order.

The worker survey found accommodation was usually provided by employers, and accommodation provision costs tended to be deducted from pay.

Satisfaction with accommodation and working conditions is generally positive:

The vast majority (96%) of seasonal migrant workers were satisfied, including 38% very satisfied, with the working conditions on the farm.

Responsibility for arranging accommodation largely rests on employers. The majority of workers (87%) were satisfied with accommodation (27% very satisfied, 60% satisfied) while 13% were dissatisfied with their accommodation. Satisfaction

did not depend much upon the type of accommodation, although satisfaction with caravans on farms was 84%. Satisfaction levels differed between people from different home nations. People from Romania had highest rates of satisfaction with their accommodation and Kazakhstan the lowest.

Challenges exist for workers and include missing family or friends (62%), language barriers (31%) and unpredictability of Scottish weather, namely, the rain and colder weather– and preferred the climate of their home countries.

Other notable challenges were costs of accommodation (15%), high workload/fatigue (13%) and isolation and distance to urban centres (11%).

A few respondents felt that they received a low rate of hourly pay for their work, while others noted that the (typically six month) time limitations posed by visa restrictions and/or the Seasonal Workers Programme had negatively impacted their overall experience of working in Scottish agriculture.

Key Findings: Long-term prospects and viability of the industry

The literature highlights that the recruitment of seasonal migrant workers has UK-based and home-country based dimensions. These involve various agencies beyond the employer and the worker themselves.

Recruitment is complicated by the seasonal nature of the work, for example weather dependency. The task is also subject to competition for labour with other sectors (outwith agriculture) and other countries (outwith Scotland).

Two out of five respondents to the worker survey had found their employer through a friend or family member. Less than a fifth saw an advertisement/social media/website to find their current employer. This indicates the importance of word of mouth and recommendations from trusted individuals.

Around half of workers completing the survey were returnees (53%) and around half (47%) were non-returnees. Returnees had most commonly worked previously in Scottish agriculture for around three to five years.

Employers seek repeat workers coming back year on year where possible. They are familiar with the set-up of the farm and their working conditions.

Ensuring a positive experience is important to attract returnees, and to recruit further workers through their trusted networks of friends and family.

Stakeholders emphasised how they valued seasonal migrant workers as people who were conducting physically demanding tasks, away from their home country and friends and family, and often without strong levels of English language. Farmers touched upon their responsibility as employers for not only pay and work, but workers' living conditions and their well-being. Measures such as inspections, audits, and the competition for labour were seen to have led to improvements. The qualitative information from this research project supported efforts to apply the fair work dimensions to seasonal migrant agricultural work.

Recommendations

This report recommends continued joint efforts between private, public and third sector stakeholders to further improve the experience of workers in line with Fair Work dimensions.

Recommendations: UK Government

UK Government should consider the Scottish agricultural sector in future policy making.

UK Government should ensure that sufficient notice is given of changes to visa schemes which apply to Scotland, ensuring this happens by December the preceding year.

UK Government should ensure that Scottish agriculture, and its representatives, are closely involved in shaping future schemes. This will ensure that measures put in place are informed by evidence and are experience based. Evidence suggests that there are potential benefits of providing options for labour sharing across farms.

UK Government should clearly communicate any restrictions due to migration schemes for each year to employers, intermediaries and workers. This will help lead in time and mitigate risks to businesses.

UK Government should consider whether any scheme for agricultural migrant workers should include minimum English language requirements.

Recommendations: Scottish Government

Scottish Government should gain key data year on year directly from farms on numbers of seasonal migrant workers. This data could be cross-referenced with statistics on labour distribution by recruitment agencies.

Scottish Government should promote existing support and clarify that making support available to agricultural seasonal migrant workers is the responsibility of any organisation interacting with these workers.

Scottish Government should consider how the “tolerable standard” regulations could be applied to temporary accommodation and who would be best placed to do the inspections. Employers pointed out that on-site accommodation for workers is currently regulated, with checks regularly undertaken by labour providers and even by large buyers of produce to establish if they deem it as of sufficient standard. However, there is currently no regulated reasonable standard as defined by Scottish Government or checked by a public body or regulator.

Recommendations: Recruitment agencies

Recruitment Agencies should offer more targeted and quality recruitment in fewer countries, in part to help minimise some of the communication barriers between employers and migrant workers.

Recruitment agencies should be as clear as possible on wages and what is included and not included for living costs.

Recruitment Agencies should ensure that Fair Work is at the forefront of practices of UK-based recruitment agencies supplying labour to Scotland.

Recruitment Agencies should ensure that Fair Work features in the recruitment practices to source labour in home countries.

Recruitment Agencies should promote existing support and clarify that making support available to agricultural seasonal migrant workers is the responsibility of any organisation interacting with these workers.

Recommendations: Employers

Employers should understand their responsibility to treat their workers with dignity.

Employers should consult the Fair Work First Guidance by Scottish Government and put it into practice on their farms.¹

Employers should be as clear as possible on wages and what is included and not included for living costs.

Employers should continue to upgrade on site accommodation, including shared areas. Involving workers in making suggestions for improvement could help employee engagement. Where possible, budgets should be set aside, and plans made for improvements.

Employers should consider offering support with enabling regular communication with friends and family in workers' home countries. Where possible, steps could include improving broadband access, providing tablet or laptop computers or gifting phone credit. This would support a future focus on well-being of workers and enabling workers to regularly communicate with friends and families.

Employers should promote existing support and clarify that making support available to agricultural seasonal migrant workers is the responsibility of any organisation interacting with these workers.²

Recommendations: Third sector organisations

Third sector organisations should offer support around the pressures on workers due to insecurity of income. Possible collaboration with debt advice organisations may be beneficial to inform this support.

Third sector organisations should offer anonymised feedback from workers to give a broad picture of how experiences relate to the Fair Work Framework.

¹ [Fair Work First: guidance - gov.scot \(www.gov.scot\)](https://www.gov.scot/resources/documents/2022/04/Fair-Work-First-Guidance.pdf)

² For example [RSABI: Home Page](#)

1. Introduction

This section introduces the context for this commission. It identifies the four research aims and outlines the structure of the report.

1.1 Research Context

This research focuses on agricultural seasonal migrant workers in Scotland.

Previous research in Scotland's agricultural sector was commissioned in the aftermath of the EU Exit vote, to try and understand the importance of seasonal workers in the sector. The 2018 ['Farm Workers in Scottish Agriculture'](#) report advanced findings on the circumstances, perspectives and experiences of agricultural seasonal migrant workers in Scotland, but their numbers and demographic characteristics have not been systematically monitored since.

More recently, the Scottish Government committed to investigating the results of the 2021 [Assessment of the risks of human trafficking for forced labour on the UK Seasonal Workers Pilot Focus on Labour Exploitation \(FLEX\)](#) report, which explored exploitation, trafficking and standards, highlighting the particular vulnerability of seasonal migrant workers to these issues.

This research sits within a complex and varied policy context. The United Kingdom's exit from the European Union may be highly disruptive to migration rules and migrants' rights, and other employment and labour market regulations. Meanwhile the Scottish Government's [Fair Work Action Plan](#) seeks to maintain high professional standards across all types of employment in Scotland.

This research therefore presents an important opportunity to examine recent experiences of seasonal migrant workers in Scottish agriculture, and to assess the effectiveness and adequacy of the [Seasonal Workers Pilot programme](#).

In addition to providing the Scottish Government with vital demographic and numerical indicators in relation to agricultural seasonal migrant workers, the research provides important information on living and working conditions, contractual and financial arrangements, as well as effective and practical recommendations from industry stakeholders on maintaining and monitoring high standards. The research is expected to inform work for the [Scottish Agricultural Wages Board](#) (SAWB) and the Scottish Government's Fair Action Plan.

1.2 Research Aims

This research was commissioned to address four research aims:

1. Number and demographic qualities of agricultural seasonal migrant workers in Scotland.
2. Experiences of agricultural seasonal migrant workers- including their general wellbeing, the ease of obtaining work permits and visas, their working conditions

and pay, and how these compare with other European countries, among other considerations.

3. Experiences of employers in the sector- recruitment practices and requirements, the administrative challenges associated with EU Exit and COVID-19 and delivering high-quality employment opportunities.

4. Long-term prospects and viability of the industry- wages and employment standards, the sector's and Scotland's competitiveness, regulations and requirements relating to COVID-19 and EU Exit, among others. These would cover all relevant perspectives, including that of employers, employees, regulators, stakeholders, and consumers.

This research was supported by a Research Advisory Group, which included representatives from Scottish Government and organisations supporting seasonal workers and the farms sector.

1.3 Structure of Report

The report opens by explaining the overall methodology linked to the research aims. Further detail on each part of the five-stage methodological approach is provided in this second chapter and related appendices.

Chapter three contains a summary of the evidence review of secondary sources. In chapter four findings from primary research with employers and other stakeholders are included. Qualitative analysis of stakeholder interviews features in this section. This qualitative analysis is followed by statistical results from the survey of employers.

Findings from primary research with seasonal migrant workers features in chapter five. The chapter starts with the findings from the macro-analysis conducted by the Fraser of Allander Institute. Quantitative and qualitative analysis of the workers survey is included and findings from analysis of in-depth interviews with workers.

Chapter six closes the report by setting out conclusions and recommendations which are relevant for policy makers and stakeholders including employers, recruitment agencies and support organisations for employers and workers.

2. Methodology

This chapter outlines the research methodology which was developed in line with the four research aims.

2.1 Introduction

This research included five method stages. Table 2.1 shows these mapped to the research aims.

Table 2.1: Research Aims and Methods

Research Aims	Methods				
	Evidence Review	Stakeholder Interviews	Employer Survey	Worker Survey	Worker interviews
Number and demographic qualities of agricultural seasonal migrant workers in Scotland	x		x	x	
Experiences of agricultural seasonal migrant workers	x	x	x	x	x
Employers in the sector	x	x	x		
Long-term prospects and viability of the industry	x	x	x		

This chapter summarises all five stages including secondary and primary research approaches. For more detail, including qualitative and quantitative data collection, sampling and analysis please see Appendix F.

Please see Appendix G for detail of the macroanalysis technique employed by the Fraser of Allander Institute to estimate the number of agricultural seasonal migrant workers. Research on this topic raises a number of ethical considerations. All research conducted by the Diffley Partnership is compliant with the Market Research Society (MRS) [Ethical Guidelines](#) and Social Research Association (SRA) [Research Guidance on Ethics](#). Please see Appendix F for more information on ethical considerations, including in relation to each method.

2.2 Evidence Review

The first stage was a rapid review of relevant prior research, publications and outputs relating to agricultural seasonal migrant workers within and beyond Scotland and the UK. Sources consisted of 26 academic journal articles; three articles and blogs and 11 reports; 40 in total. See Appendix I for the full bibliography. The rapid evidence review informed the primary research tools. These included discussion guides and surveys.

Within this final report, chapter 3 presents findings from this evidence review related towards:

- Number and demographic qualities of agricultural seasonal migrant workers in Scotland
- Experiences of agricultural seasonal migrant workers
- Experiences of employers in the sector
- Long-term prospects and viability of the industry

Appendix J includes a comparison between this research and findings from the 2018 [‘Farm Workers in Scottish Agriculture’](#) report.

2.3 Stakeholder Interviews

This stage of the research aimed to gather the views of a range of stakeholders such as employers, recruiters and intermediaries, trades unions and regulators, third sector organisations, and subject specialists.

The list of stakeholder organisations to interview was agreed with the Research Advisory Board. Stakeholder interviews took place between January and June 2022. In all cases, these were held over an online platform (MS Teams or Zoom) and took up to one hour.

The final sample consisted of eight wider stakeholders from:

- Recruitment agencies
- Trade unions
- Regulators
- Third sector with experience and expertise working with seasonal migrant workers.

Six farm business owners, referred to as employers also took part. Employers expressed interest in taking part in an interview in the employer survey (see section 2.4). So as not to identify these research participants, this report does not provide further details of the fourteen individuals.

Chapter 3 includes findings from these interviews. After quotes, brackets indicate if the research participant was an employer or stakeholder.

2.4 Employer Survey

The employer survey had two purposes. Firstly, it was designed to gather the necessary data to construct an estimate of the size, scale and demographics of the seasonal migrant worker population. Secondly, the survey was designed to gather views from the agricultural sector regarding recruitment, long-term viability, and labour needs.

The survey included largely closed questions such as multiple-choice, single-choice and scaled questions (see Appendix B). In total the survey achieved 1089 responses (958 completed in full).

2.5 Worker Survey

This survey was key to the research as it provided an opportunity to hear and elevate the voices of seasonal migrant workers themselves. As highlighted in the research aims, and corroborated by the evidence review, there is concern that this group can face marginalisation. Hearing from workers first-hand also provided an opportunity to compare their views with those of employers and stakeholders in terms of the experience of seasonal migrant workers in Scottish agriculture.

The survey included largely closed questions such as multiple-choice, single-choice and scaled questions (see Appendix C). A large sample of responses was received, across an extended fieldwork period from June to October 2022. The distribution methods resulted in 439 returns, of which 74 were online responses and 365 were paper returns. By language, these returns included:

- 69 Bulgarian language
- 54 English language
- 16 Polish language
- 83 Romanian language
- 157 Russian language
- 60 Ukrainian language

Paper returns were received from workers on 10 farms in Fife, Perthshire and Angus. The farms had different produce and different sizes of operation/workforce.

2.6 Worker Interviews

Interviews were chosen as the most suitable method to accommodate availability of workers and language requirements. Interviewees were recruited through the workers survey (see above). A semi-structured interview guide was drafted with input from the Research Advisory Group prior to its translation and use in fieldwork.

A total of three interviews were conducted with workers between 24 November 2022 and 21 December 2022. Pen portraits were written to summarise the interviews with the three participants. These focus on the lived experience of these

workers. They do not represent the views or experiences of all seasonal migrant agricultural workers in Scotland.

3. Evidence Review Findings

This chapter summarises findings from the evidence review in five sections, presenting findings which align to research aims of this study.

The conclusion emphasises the need for primary research with agricultural seasonal migrant workers in Scotland to address research gaps.

3.1 Introduction

This evidence review revealed relevant findings across all four aims set for this research namely:

1. Number and demographic characteristics of agricultural seasonal migrant workers.
2. Experiences of agricultural seasonal migrant workers
3. Experiences of employers in the sector
4. Long-term prospects and viability of the industry

It is important to highlight that two distinct perspectives are found in the literature.

One perspective discusses seasonal migrant workers as the ‘supply of labour.’ This suggests labour can be treated like a commodity. Many of the arguments around supplying a sufficient workforce for the UK’s agricultural industry, food security, and preventing agricultural business from having to downscale or ceasing their activities are presented from this perspective. According to Maughan et al. (2020), this is the dominant perspective, a conclusion they arrived at based on an analysis of how social justice or food justice is reflected in policy proposals.

The second perspective focusses on migrants as human beings, with a diversity of factors influencing their decisions and experiences. This literature tends to focus on issues of marginalisation, exploitation and social exclusion. However, this literature also provides accounts of mixed and relatively positive realities of migrant workers on farms. Bringing together these contrasting perspectives Scott (2015) advocates for a temporary migrant worker scheme that is well regulated and moves beyond a view of workers as either ‘commodities’ and/or rural ‘guests’.

The literature contains valuable insights, grouped in Appendix H as follows:

- Employer/worker motivations for seasonal migrant work in Scottish agriculture.
- Number and demographic characteristics of agricultural seasonal migrant workers in Scotland.
- Employer and worker experience of temporary migration schemes.

- Employer and worker experiences of recruitment.
- Experiences of retention.
- Experiences in Scottish agriculture as a seasonal migrant worker.

The sections below summarise key findings then concludes by explaining the limitations of the sources examined and how this evidence review informed the primary research within this study.

3.2 Employer and worker motivations for seasonal migrant work in Scottish agriculture

In summary, the literature discusses background reasons for employer and worker motivations.

The agricultural sector in Scotland is described as experiencing insufficient domestic workforce resulting in high dependency and reliance on migrant workers.

Qualitative studies show workers are motivated by earnings potential in the UK, compared to their home countries, though this is subject to exchange rates.

Other motivations include recommendations of people they know and a variety of individual circumstances.

3.3 Number and demographic qualities of agricultural seasonal migrant workers in Scotland

In summary, the wider literature confirms that the numbers of seasonal migrant workers year on year are hard to establish for any country.

Previous studies focus on shifts in demographics, especially country of origin of workers.

The literature contains commentary on the fluctuations due to schemes and regulation for movement of labour at a UK-level and the economic context in home countries.

3.4 Employer and worker experience of temporary migration schemes

Sources contained criticism of schemes, including the Seasonal Workers Pilot and Seasonal Workers Programme, especially the setting of quotas.

The literature highlights the importance of bringing the interests of employers and of migrant workers into the shaping of any schemes. The evidence review identified particular areas for any permanent scheme to address:

- Insufficient protection of workers' rights; including tying workers to employers in rigid ways (Consterdine and Samuk 2015), linked to visas and transfers, and improving the clarity on contracts (NFUS 2021)
- Right type of recruitment (better connecting farm businesses to prospective employees) and measures to increase the returnee rate (NFUS 2021)
- Insufficient integration measures (Consterdine and Samuk 2015), support and pastoral care (Zubairi et al. 2020)
- Closer relations between sending and host countries to coordinate migration and reintegration of workers to their home country (Zubairi et al. 2020).

3.5 Employer and worker experiences of recruitment

The literature shows recruitment has UK-based and home-country based elements.

The literature sets out formal roles and informal relationships between governments, the sector, intermediaries such as recruitment agencies, employers and workers. These are all affected by the UK scheme in place for agricultural migrant labour.

Studies explain the complications in recruitment, including the seasonal nature of work, for example weather dependency, leading to fluctuations in demand. Also, the economic and social context of workers' home countries varies.

Recruitment is described as being subject to competition for labour with other sectors (outwith agriculture) and other countries (outwith Scotland).

3.6 Experiences in Scottish agriculture as a seasonal migrant worker

There are both positive and negative accounts of seasonal migrant worker experiences in Scottish agriculture.

Authors highlighted concerns about the possibility of human trafficking and that the 'human rights of newcomers to the country' are not being upheld in practice.

The literature emphasises societal benefits of immigration, recommending more integration.

There is limited primary research with agricultural seasonal migrant workers in Scotland.

3.7 Conclusion

The limitations of the existing literature on seasonal migrant workers are as follows:

- It tends to focus on the UK or England rather than Scotland, Wales or Northern Ireland.

- It either focuses on non-agricultural workers and urban areas, or agricultural workers as part of a wider population of workers.
- Where literature in English exists, this relates to other countries including United States of America, Canada, Australia, New Zealand.
- It takes the perspectives of immigration or labour market studies.
- There is a lack of literature on 'lived experiences' of seasonal migrant agricultural workers.
- The evidence presented ranges from large scale surveys, to targeted interviews.
- Authors consistently comment that what is covered in the media is 'newsworthy' rather than balanced or representative.

Research on migrants lived experiences in the UK has focused on urban contexts (largely in England) and on only one nationality (Polish migrants). Beyond this, there are some studies on rural development and the socio-economic impacts of migration (de Lima and Wright 2009, Findlay and McCollum 2013) and on the living and working conditions of non-agricultural seasonal migrant workers in rural and urban Scotland (Zubairi 2020), but few on lived experiences in rural contexts (McAreavey 2012, McAreavey 2017, Flynn and Kay 2017). The evidence review has outlined conflicting demands on what is required from seasonal migrant workers, reflected in attempts to formulate policy and address exploitation issues. Employers need affordable labour but, ideally seek skilled workers with a good level of English and the ability to work as a supervisor, which is most likely to be the case from returning migrant workers.

Studies reveal the importance of balance so that seasonal migrant work is attractive and fulfilling for both employers and workers. For example, working and living conditions are to be of a good standard but not too costly to the employer. Workers need reliable work and income, while employers want a flexible workforce. Wages need to be high enough to attract workers, but not too high to become unaffordable to the employer. Ideally, migrant workers would have sufficient access to services, language classes and support, but it is unclear who should be funding this and how it should be provided, in particular within the less densely populated rural areas where agricultural businesses tend to be located.

These conflicting demands suggest that policy on seasonal migrant workers in agriculture cannot be addressed in isolation from:

- Policy on migrant workers generally,
- Immigration policy,
- Labour and living wages,
- Rural services provision,
- Agricultural production,
- and the food system overall.

The evidence review supports the need for more primary research around:

- Experiences of the recruitment process, for example nature of work, terms and condition and pay.
- Experiences of costs and visa arrangements.
- Working and living conditions, for example treatment at work, housing, zero-hour contracts and piece rates, sick pay protection, training received.
- The extent of support required, accessibility and provision, for example skill levels, translation.
- Flexibility, for example the option of changing employer, accommodation charges.
- The extent of auditing and compliance inspections.
- Measures undertaken by employers for recruiting and retaining workers, costs involved.

4. Employers and Stakeholders Findings

All stakeholders reported that seasonal migrant workers were in high demand within the agricultural sector in Scotland and the wider UK.

The main reason given for high demand was lack of availability of non-migrant seasonal workers.

Employers reported serious negative consequences for their businesses should they not be able to access this type of labour.

Stakeholders explained that due to weather and supply chain factors, the actual volume of work could be difficult to predict and subject to change. Employers confirmed coinciding labour need to labour availability on-site was a continuous challenge for farms.

Stakeholders emphasised how they valued seasonal migrant workers as people who were conducting physically demanding tasks, away from their home country and friends and family, and often without strong levels of English language.

Pay ranged from £8.91 to £13.75 per hour. Accommodation was usually provided but accommodation costs tended to be deducted from pay.

4.1 Introduction

This chapter includes findings from a survey of employers and interviews with employers and wider stakeholders (see chapter 2). Employers of seasonal migrant workers in agriculture are farming enterprises, mostly in the horticultural sector. Please see section 2.4 for more details of the range of stakeholders.

4.2 Stakeholder Interviews

The structure below presents findings by research aim and topic.

Employer and worker motivations for seasonal migrant work in Scottish agriculture

The importance of the efforts of seasonal migrant farm workers for businesses, the sector, the economy and the public featured heavily in interviews.

The manual labour provided by seasonal workers was seen as essential, particularly in terms of activities that cannot yet be automated or mechanised such as cutting cauliflower or broccoli. Thus, farms with many types of vegetable and fruit crops were described as reliant on consistent intakes of workers to conduct these tasks and maintain and process produce 'by hand.' Indeed, one farmer described having a team of approximately seventeen people doing the equivalent work of a combine harvester when harvesting one field.

Many participants mentioned the rigidity and intensity of the supply chain, with some noting challenges around the costs and resistance to food price inflations. Given the financial returns on produce supplied to retailers and other vendors, farms are keen to meet quotas, maintain the high quality expected by consumers, and retain good relationships with these bodies. Stakeholders explained how available and reliable labour for agriculture, and associated industries such as food transportation, were crucial to the success of the supply chain.

Stakeholders talked about the vulnerability of the food industry and the potential economic shortfalls and public dismay if supplies of fresh fruit and vegetables – which was said to account for over half of the Scottish agricultural output - were to diminish. Some were of the view that the public are likely unaware of this vulnerability and may not be receptive to increased food prices:

“I’m not sure whether people realise just how vulnerable the food industry is without these people – I think we’re going to see it this summer – but without them there is no vegetable industry or fruit industry in Scotland. It’s staggering the value that the fruit and veg industry contributes to the Scottish economy, and particularly Scottish agriculture, it’s a much bigger percentage. Something like 60% of the Scottish agricultural output is from the fruit and veg industry and it’s probably from not that many growers that that’s coming from” [Farmer]

“they [the public] want to go in the shops and pick something up to cook for Sunday lunch, somebody's got to get it there somehow, and they don't want to be paying more than £1 for a kilo of potatoes, so if they were doing it in the real world, potatoes would be away up at £3 or £4 per kilo and that would cause a riot” [Stakeholder].

Seasonal labour was connected to maximising yield and ensuring the productivity of a farm business. Farmers flagged those crops which included perishable goods with short windows of opportunity for harvest:

“But in the peak of summer, if you don’t cut it in the morning, by the afternoon, the quality is gone, and you’ll face a rejection in factory. And some days we’ll do very long shifts to try and achieve that. If we don’t hit the target yield, we make a loss, and that’s what we did last year because of the issues with factory capacity, lack of drivers and weather conditions and people as well. So, if we don’t have seasonal labour, it jeopardises the whole operation. We need people we can rely on, who can be there when we need them and generally as growers, we appreciate that we need these people, and we’ll look after them well” [Farmer].

Stakeholders often prefaced discussions by noting that demand for seasonal migrant farm workers in Scotland – and the wider UK – is fuelled by a lack of local labour to support the Scottish agricultural sector.

Some farmers said that they had talked to others who had made similar unsuccessful attempts to recruit and retain local labour. Stakeholders noted that it had previously been relatively easy to recruit local labour, though local appetite for

such work had dwindled, if not disappeared, in the past few decades. The seasonal nature and rural setting of the work were cited as potential reasons for this gap:

“The reality is that local people from Edinburgh, Glasgow etc who are unemployed want to be with their families. They want to support their families, they don't want to be living up in Aberdeen or Fife or those areas, and those areas are probably not as rural as you can get in Scotland” [Stakeholder].

Several participants made comparisons between the work ethic of seasonal migrant workers and local labour, particularly where they had experience of employing both groups. Seasonal migrant workers, who were seen to have come ‘with purpose’ – such as with the target of meeting key ‘life milestones,’ such as purchasing property in their home country were typically deemed to have a more positive attitude and stronger work ethic than locals:

“If you put two cutters against each other and one's an Eastern European and one's a local, generally the Eastern European will be two or three times quicker than the local, they've got a better work ethic. They've made a financial commitment to come here... also it's a bit of a statement as well, they've kind of come to seek their riches so they don't want to go back home without having something to show for it.” [Farmer].

Farmers interviewed in particular were conscious of their local population base, low levels of unemployment, and the competition with other sectors such as the services sector, care sector and hospitality sector for local labour. One stakeholder explained:

“So, without a migrant workforce, then there's a lot of businesses, I would assume, wouldn't be able to function in the way that they wanted to, and so it's in the industry's interest to make sure that Scotland remains attractive to a migrant workforce” [Stakeholder].

Number and characteristics of agricultural seasonal migrant workers

When asked about the key characteristics of the agricultural seasonal migrant workforce, stakeholders discussed changing trends in age, gender and nationality, with some describing these changes across a timeline. Changes in age profile of workers were noted as being led by key events, such as the financial crash of 2008, where the average age of workers increased from students in their early twenties to those aged 25-35. Although, stakeholders felt the Seasonal Workers Pilot and Seasonal Workers Programme had led to a return to younger age groups:

“In the early days, it was very much students who were looking for summer work, [they] would come for the summer and then go home and go back to university. As time went on and probably after the financial crisis, we started getting older people, so perhaps twenty-five to thirty-five year olds [for whom] maybe the work opportunities weren't as good in their own country and they were seeing these youngsters coming back with a pile of money so they came over. So, the age profile got older again during that. And then once we started with the seasonal

workers pilot, a lot of them were younger again, so we're kinda going back to that younger age group a little bit" [Farmer].

However, stakeholders explained that the workforce is typically young. They attributed this to the physical and laborious nature of the tasks. Some stakeholders pointed out that awareness of seasonal jobs, such as those in agriculture, had increased amongst young adults due to social media communications, whether through advertisements, post sharing or talking to/engaging with peers online.

In terms of gender, those interviewed noted that the agricultural seasonal migrant workforce is predominantly male, though females are becoming more involved and have developed further interest upon hearing about the work from others who have experienced it. One stakeholder believed there to be a "70:30" split of male and female workers, comparing this to a "99% male" workforce in the first year of the Seasonal Workers Pilot:

"We've seen a change in the split in the last three years, so in year one it was pretty much all male because the females wouldn't travel as a group of females, so if they weren't coming with a partner, the female wouldn't come. Then in year two we saw more females travelling with partners because the partner was kind of saying 'It's okay, I've been, don't worry.' And then this year we're probably seeing groups of females travelling" [Stakeholder]

Qualitative accounts of changes in nationality trends varied, though some key points emerged. Many participants focused on changes in workforce pre- and post-the introduction of the Seasonal Workers Pilot. Some noted how, prior to the Seasonal Workers scheme, farmers only had access to workers from the European Union (EU), and these mainly came from Poland, Lithuania, Moldova, Belarus, Slovakia, and the Czech Republic. Bulgaria and Romania also became key sources following their acceptance into the EU. A shift to non-EU countries occurred following EU Exit, with Ukraine becoming a main source of non-EU migrants.

Others touched on the war between Ukraine and Russia, which was intensifying at the time of interviews, and the impact of resulting sanctions on the flow of workers from these and neighbouring countries was very topical. Stakeholders spoke of new intakes of workers from other countries from Eastern Europe.

Employer and worker experience of temporary migration schemes

Stakeholders were largely sceptical of the Seasonal Workers Pilot and Seasonal Workers Programme, noting disadvantages for employers and individual workers.

Many felt that only allowing seasonal migrant workers to be placed with a business through the Pilot for six months was too short, restrictive and stifled opportunities to flourish. Six months was seen as too short a time frame for new workers to 'settle' into the new environment, in particular those who had no prior experience of the programme or seasonal agricultural work in general. Some stakeholders felt that the short-termism, which is tied to the seasonality of the work, could feel disruptive to some individuals:

“Six months still doesn't seem very long. It's alright if you just want an adventure, but if you're thinking about your lifetime, it's very disruptive” [Stakeholder].

Participants also mentioned how the processing of documentation and applications could prevent some seasonal migrant workers from experiencing the full six months, since they could not start work until they have full approval. This was seen to result in seasonal migrant workers working and earning less than they had hoped. Stakeholders connected actual experience of working period and pay falling below expectations as having a knock-on effect on stability and morale:

“Some people would maybe like to work more, and I don't know what the rationale is behind six months. So, it doesn't work in some cases especially since it can take some time to get all the documents. Other people want to change their employment if they're unhappy or have issues with employment and move to another farm, for example, so again then they have a shorter period of time there, like two months or something at the other farm. And as a result, people are not able to earn sufficient amount of money or what they intended to earn” [Stakeholder].

At the time of early interviews, others noted that workers on the Seasonal Workers Pilot could not be moved or shared between farms unless requested by workers. Also, moves could be delayed by the time taken to receive approval and administration. Employers described these requests as *'not worth it'*. Employers disliked the inflexibility and inefficiency of this rule, where previous movements, dependent on need, were useful in ensuring the smooth running of day-to-day operations. The knock-on effect of 'low or no' workdays on workers was considered:

“Sometimes there's days where we've got too much broccoli or days where we don't have anything, but my neighbour down the road might be in the opposite situation where I've got people and he's got broccoli and he doesn't have enough people and vice versa. So, we used to have the flexibility to move people between us on a daily basis to help with the harvesting schedule, which on the current scheme, officially, we don't have and that's a big problem.

And it [moving workers depending on needs] suits us as growers because we can help each other out when we need it, but it also helps the participants as well because otherwise they would be sitting in their accommodation doing nothing and not earning, and generally if they're not earning, they're not happy, whereas if they can get work down the road they're earning.” [Farmer]

Issues with visas for workers on the Seasonal Workers Pilot were also a *'hot topic'*, given that these were a main barrier to commencing employment on time, if at all. Stakeholders expressed frustration that an additional 10,000 visas, which had been announced by HM Government to increase the number of visas for workers to 40,000, still had not been granted. Several stakeholders said they were currently working on mitigation actions, with one noting that:

“Every recruiter we speak to have fulfilled their quota on the 30,000 and are just waiting because they've got way more than 10,000 people on their order books to supply. There's demand for much more than that 10,000, and yet it's still sitting on somebody's desk.” [Stakeholder].

However, some stakeholders countered these points by describing the positive aspects of the Seasonal Workers Pilot. While some of its rules were a point of contention, the control of the scheme could also be seen as advantageous:

“I think the country has a need for it, on look at the world as a whole, every country has migrant labour coming in, it's just different systems. I like the way it's controlled” [Stakeholder]

The ability to recruit individuals of a range of nationalities, with a variety of skillsets, from different countries was also seen as key to strengthening the Scottish (and wider UK) agricultural workforce as a whole.

Employer and worker experiences of recruitment

Features of working within the agricultural sector in Scotland were discussed widely by participants, to build a more detailed picture of what working as seasonal migrant farm worker involves. Many discussed the manual, often physically demanding, nature of the work – tasks mentioned by farmers and stakeholders included planting, picking fruit and other crops, digging and installing fences.

The achievement of targets was also deemed important, especially given the constant demand for produce and a need for ‘quick turnarounds’ within the supply chain, so that produce is delivered to retailers and other vendors on time and in adequate quantities:

“I'd say it's very much that growers drive the people now, you're always pushed to hit targets and that comes down to the cost of things. So as much as minimum wage plays a huge part and that people must be paid the minimum wage, the growers and the conditions are constantly push push push, you're constantly under pressure to hit targets and achieve targets.” [Stakeholder].

At the same time, stakeholders were conscious that plans could change on a farm depending on environmental factors such as when harvests matured and hold ups in harvesting due to poor weather. Furthermore, orders for produce were subject to change by buyers and pick up of produce could be affected by labour shortages in the food processing sector. Therefore, the sector acknowledged peaks and troughs in demand for labour from month to month, week to week and day to day.

The high precipitation rates and unpredictability associated with Scottish weather conditions were seen to be potentially off-putting to seasonal migrant farm workers, particularly if they were not aware of this before moving. Stakeholders raised the issue of competition for labour within the agricultural sector across the UK. One suggested added incentives may help recruit migrant farm workers to Scotland where the native climate is not as appealing as warmer areas in England:

“I think from a Scottish point of view, you have poorer weather which is a huge factor and should be considered when setting pay-rates. So, if you were to be harvesting on the south coast of England versus Aberdeenshire, at all times of the year it will be colder in Scotland than it will be on the south coast and it’s likely to be wetter, and when there is a shortage of labour setting the same pay rate is not going to attract the labour, so that probably drives up the cost of Scottish agriculture further.” [Stakeholder].

Other stakeholders pointed out how most migrants seeking seasonal work in Scotland accepted, and were prepared for, poorer weather conditions, whilst the provision of correct equipment and protective, weather-proof clothing lessened the impact of this factor. Thus, as the farmers, an ability to undertake manual tasks and work in all elements are core to a seasonal migrant farm worker’s role:

“So, if people are physically fit, we’ll employ them, as long as they know what they’re coming to. That’s the thing too, because it’s outdoor veg, whether it’s wet or dry, we have to cut – it’s not like a polytunnel where things can be nice and dry- we’ve got to cut, we’ve got that lorry to fill that day and it doesn’t matter if there’s been an inch of rain, we have to be out there. There comes a point where we have to go home but we have to cut in all conditions. Sometimes it’s not the most pleasant of jobs and that’s usually where the local labour would go ‘stuff this, I’m not doing this anymore’” [Farmer].

Stakeholders perceived that many seasonal migrant farm workers sought to return to work in Scottish agriculture over a period of seasons or several years. Employers reported varying returnee rates, though saw the experience and skill of returnees as beneficial to overall productivity and the running of operations:

“But that return rate actually helps with your productivity in the team as well because these people have been before, they’ve been trained before, they know how to do it. You put a new person alongside them and they help show, tell, share all their secrets so you’re productivity of the team en masse is always higher than just bringing in new recruits all the time. And there’s a bit of camaraderie and teamwork, it works really well” [Farmer].

However, returnee rates, alongside rates of newcomers, have been constrained by several factors. The consequences of Britain’s exit from the European Union – (including the ending of freedom of movement) were mentioned as a key constraint, particularly where they make the processes and procedures required to gain access to the UK more difficult and, subsequently, off-putting for those living outside it:

“Before Brexit came, it was quite easy for people to come here and work as they didn’t need any special permissions or visas to come over here.” [Stakeholder]

Many participants pointed out that, prior to EU Exit, people came for seasonal work and then returned for a few seasons, with this consistency and familiarity leading many to decide to settle here. However, as one stakeholder noted, “that pipeline has now been cut.” The COVID-19 pandemic, as well as the Russia-Ukraine

conflict has had a significant impact on worldwide labour pools, and thus were considered key deterrents to seasonal migrant workers. In particular, it was thought that the Russia-Ukraine conflict and subsequent displacement of people posed access issues for both workers and farmers:

“There's a lot of constraints and the big one is availability of labour through the seasonal workers scheme because of the war in Ukraine. So I don't know the exact figures, but I've been told that about 60% of the workforce are Ukrainian, so the agricultural labour providers who find these workers are now going much further afield to get the workers. So, the anecdotes from our members is that they are expecting to get these workers in but they're not sure if they actually will appear.” [Stakeholder]

The operation of ‘middle chain agencies,’ which act as a connector between prospective seasonal migrant workers and farmers, was sometimes seen as unhelpful, especially if they cause misinformation or set unrealistic expectations:

“Because of the way the seasonal workers scheme is set up post-Brexit, farmers aren't really involved in direct recruitment, so you're reliant on operators and agencies and, with the best will in the world, some just don't know what the reality of working in a horticulture business in Scotland is.” [Stakeholder]

Additional barriers arose where such agents failed to provide seasonal migrant workers with the correct information or made additional charges to workers for procedural necessities, such as visas. The impact of low returnee rates and subsequent intake of newer, less experienced individuals on industry and business operation was a key worry amongst participants, as was the administrative burden resulting from high influxes of new employees on farms themselves.

Across the board stakeholders were anxious about existing and additional barriers to both the recruitment and retention of seasonal migrant labour.

Experiences of Scottish agriculture as a seasonal migrant worker

When asked about pay stakeholders referred to stipulations through the Scottish Agricultural Wage Board (SAWB) and outlined a range of payment approaches.

They explained seasonal migrant farm workers have typically earned hourly pay, alongside ‘piecework’ or ‘piece rates,’ where you earn as you pick or ‘earn more for picking more.’ Some stakeholders discussed a different approach, whereby farms distribute at the basic rate of pay. In addition, workers in more senior positions, such as supervisors, can earn additional bonuses if they – and their team – meet targets set by farms:

“We will incentivise that supervisor basically by saying ‘whatever the team cut, you will get a percentage bonus on top of that’ which depending on the level of experience can be anything from a 10-25% bonus on what the other team members [get], so they can be rewarded very well for what they do.” [Farmer]

Some stakeholders felt that increases to the minimum wage paid to workers had weakened the incentive to use piece rates, where workers were comfortable with the earnings provided by the former and were not as inclined to 'go beyond' that:

“What we have found, though, in the past when minimum wage rates weren't as high, we saw piece rate being used as a bigger motivational tool because the difference was greater. But as that minimum wage is now above £10, it's less of a motivation. If somebody is going to turn up for work and they're guaranteed £90 a day, then there is less motivation to go above and beyond to earn £120 or £130 a day because you do have to work hard to get that money.” [Farmer].

However, participants were generally satisfied with the pay system for seasonal migrant workers and were positive about the arrangements in place compared to England, with Scotland having the SAWB and Agricultural Wages Order.

Others outlined how some farms – particularly those who employ large numbers of people – are unable to provide roles for all workers, who can then grow frustrated where a lack of available jobs diminishes earning potential. This could be especially detrimental where funds are required to pay for accommodation:

“...so basically, people have to sit in the caravans and wait for a job to become available for them but they also have to pay for the caravan, food and other experiences. But migrants are happy about their pay as such, it's just they complain a lot about not getting enough work.” [Stakeholders].

Most participants felt that the accommodation and living conditions of seasonal migrant farm workers were adequate but could be improved. Employers pointed out that on-site accommodation for workers is currently regulated, with checks regularly undertaken by labour providers and even by large buyers of produce to establish if they deem these of sufficient standard. However, there is currently no regulated reasonable standard as defined by Scottish Government or checked by a public body or regulator.

However, stakeholders, including farmers, explained most farms house workers in static caravans, with some communal areas for cooking and eating food. Caravans can be mixed gender and are typically shared between three to four people.

They also explained that the cost of accommodation varies, with some seasonal migrant workers paying for accommodation through wage deductions; they might also make additional payments towards gas and electricity bills. Some stakeholders called for increased wages in line with any increases in accommodation charges, to enable workers to make a profit:

“I would like to see, when the minimum wage increases, the threshold of accommodation charges that you're allowed to charge stops going up with it, because people have no more money in their pocket, so what's the point putting the minimum wage up if you take it back with the other hand?” [Stakeholder]

One stakeholder described their frustration at the high costs facing workers, who are living on-site for a short period of time:

“It's my gripe. I've been on Zoom calls with the various grower groups and suggested that they don't charge for their accommodation, but, as I've said, £60 a week for... unless we said 'how would you like to go and live in it for three months?', sharing accommodation with potentially three other people you don't know or you haven't met, you know, you'll know them pretty well after a week! Paying £60 a week, plus gas and electric which is caravan accommodation, I mean that's £240 a week between the four of you, that's £1000 a month. That's nearly more than somebody who's paying a mortgage.” [Stakeholder]

All stakeholders suggested that action by farms to improve the quality of accommodation and provide a greater standard of amenities could help to attract seasonal migrant farm workers, motivate them during their time there, and encourage them to return. Employers felt that improving conditions for workers was essential for three reasons:

- Regular audit, for example by supermarkets they supply;
- Competition for labour- recruitment and retention, year on year; and
- Care for the wellbeing for their workers.

4.3 Employer Survey

This section presents findings based on the importance of seasonal migrant workforce to agricultural employers. See Appendix K for more information on:

- Agricultural employer profile,
- Data from agricultural employers on workforce,
- Data from employers on seasonal migrant workforce,

Importance of seasonal migrant workers

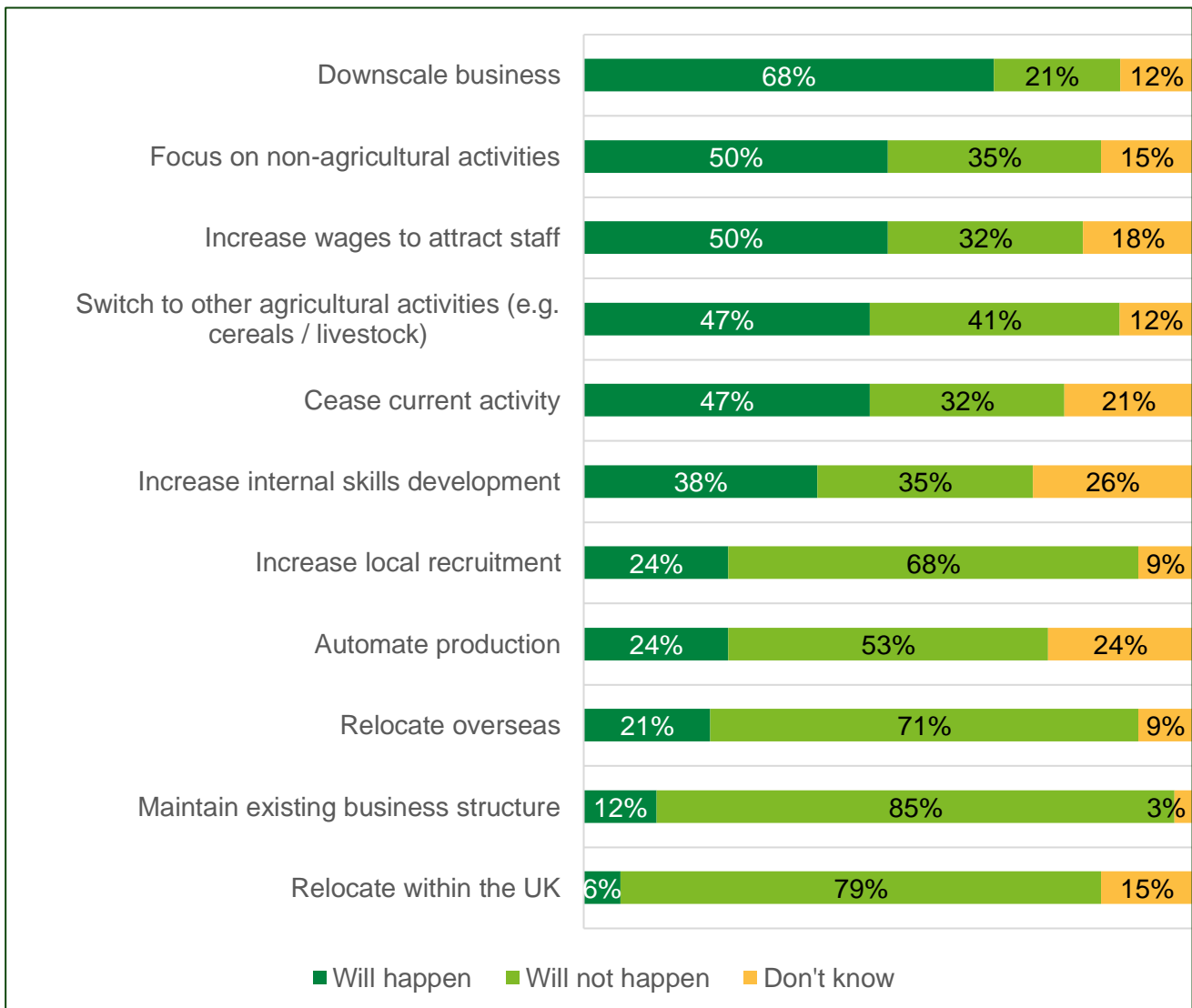
The survey asked employers about the consequences of losing access to seasonal migrant workers (see figure 4.1). Two thirds of employers with seasonal migrant workers (68%) predict they would have to downscale their business if they did not have access to seasonal migrant labour. Half (50%) would have to focus on non-agriculture activities and increase wages to attract staff. Just less than half (47%) would have to cease current activity without seasonal migrant labour.

The majority of employers with seasonal migrant workers stated that they would not be able to maintain their existing business structure (85%) if they did not have access to seasonal migrant labour.

A fifth of these farmers would consider relocating overseas (21%) and a smaller number would consider relocating within the UK (6%) if their business did not have access to seasonal migrant labour in Scotland. The importance placed by existing employers of seasonal migrant workers was emphasised further in their open text responses. One employer said that seasonal migrant workers:

“...are essential to a successful agriculture sector in Scotland. Access and regulations should be enhanced to ensure they are encouraged to come here.”

Figure 4.1: Consequences of losing access to seasonal migrant workers



Q20. If your agricultural business did not have access to seasonal migrant labour in Scotland, what is the likelihood of the following occurring in relation to your business?

Base: n=34, those who employed casual and seasonal workers

Employers framed this importance in terms of the needs of food for our population, and the benefits to society and the environment of producing this food in Scotland.

“Without access to this labour there will be no fresh produce sector in the UK of any note. It really is that simple. This labour resource is absolutely everything - whether it's settled status or SWP, it certainly will never be local again and it's nothing to do with wage rates.”

More widely, employers who did not currently employ seasonal migrant workers still saw them as important for the sector. Points made related to the need for labour, migrant workers described in positive terms, and local labour not being available:

“It is imperative for our food security that there is access to a willing workforce - the whole job is becoming difficult enough without all these barriers to a workforce being put in place. There is no local labour force available and willing to do farm work on a large commercial scale like we do it.”

4.4 Conclusion

The stakeholder interviews revealed motivations for the sector in seeking seasonal migrant labour. This type of labour was seen as necessary to make up for the shortage of local labour in rural areas. Furthermore, stakeholders acknowledged this demand especially applied to farms planting and harvesting the type of crops which could not be mechanically harvested. Interviewees emphasised the volatility of the sector because harvesting periods are affected by weather and climate. Labour, and often migrant labour, was seen as necessary in fulfilling agreed orders of perishable crops.

Recruitment of seasonal migrant workers was described as an ongoing task for employers, often involving an agency. Returnees were seen as attractive on the basis they had experience, and they knew what the work would involve and what to expect coming to work in Scottish agriculture. Stakeholders were trying to fully ascertain the implications on sourcing labour stemming from EU Exit and the Russian invasion of Ukraine.

Stakeholders largely took a pragmatic view of schemes relating to seasonal migrant labour. Feedback on the Seasonal Migrant Pilot and Seasonal Migrant Programme was largely negative, but with an understanding that there had to be a scheme as a result of exit from the EU. Stakeholders emphasised that recruiters and employers need sufficient lead-in time to understand what labour can be sourced each year, and any quotas. This is crucial when deciding on crop allocation of land and the minimum orders to agree with buyers.

Stakeholders felt further action by farms to improve the quality of accommodation and amenities could help to attract seasonal migrant farm workers, motivate them during their time there, and encourage them to return.

The survey achieved a large sample of responses from agricultural employers. The group as a whole did not tend to report labour shortages of either skilled or unskilled labour. However, further examination of the sub-sample of those employing seasonal migrant workers revealed a majority of those:

- Grew crops;
- Reported they experienced labour shortages;
- Provided accommodation for their seasonal migrant workers;
- Deducted accommodation costs from pay of seasonal migrant workers;
- Definitely would not be able to maintain their existing business structure if they did not have access to seasonal migrant labour;
- Predicted they would definitely have to downscale their business if they did not have access to seasonal migrant labour.

5. Workers Findings

Over half of the workers who responded were men, however there was a high prevalence of female migrant workers (42% of respondents).

Respondents were a wide range of ages, from 18 to 62, with an average age of 33 years. Around half of workers completing the survey were returnees (53%) and around half (47%) were non-returnees.

Two out of five found their employer through a friend or family member. Less than a fifth saw an advert/social media/website to find their current employer.

Most workers were employed in the fruit sector (81%). Under one in ten (8%) were responsible for supervising other workers.

Respondents spent 43 hours working in a typical week and were paid on average £10.22 per hour. Just over half (53%) were happy with the number of hours they work whilst 46% would prefer more hours. On average, seasonal migrant workers paid £62 per week for their accommodation, although costs ranged from £30 to £300. For nine out of ten workers, accommodation was arranged by their employer.

There are challenges to every current method of collecting data on the number of seasonal migrant workers in Scottish Agriculture in a given year. Since 2017 estimates from various sources have ranged from 7,500 to 9,255. Data from the Scottish June Agricultural Census also shows a downward trend in the number of seasonal workers since 2019. This is corroborated by accounts from the National Farmers' Union for Scotland who say the decline is due to (i) retraction in the area of vegetable crops, (ii) lower returns and higher costs for fruit and vegetables, and (iii) the Ukraine war affecting availability of labour. Modelling in this research estimates that, including EU Settled status workers, there were up to 6,570 seasonal workers in Scottish agriculture in 2021, but there are limitations to the sample size used in forming this estimate.

5.1 Introduction

This chapter includes findings from primary research with seasonal migrant workers. Research aims addressed include:

- Experiences of agricultural seasonal migrant workers
- Long-term prospects and viability of the industry

Please see Appendix L for Number and demographic qualities of agricultural seasonal migrant workers in the achieved sample. The survey achieved 439 returns. A total of three interviews were completed and are presented in the form of pen portraits, highlighting the lived experience of these individuals.

5.2 Estimate of the number of seasonal migrant workers

Having an accurate measure of the number of seasonal migrant workers is critical to being able to respond the needs of both employers and workers and ensuring the sustainability of the sector. However, due to data limitations, arriving at a definitive figure is challenging.

The June Agricultural Census in Scotland can provide data on numbers of casual and seasonal staff and estimates of migrant labour (person working days) used on holdings (see table 5.1), but as Thomson et al (2018) explained, “it does not readily permit estimation of the number of seasonal workers in Scottish agriculture due to, for example: seasonal employment being for different durations, or some individuals working on more than one holding in a season. The seasonal profile of labour within the Scottish soft fruit sector is likely to peak from May to August but knowledge gaps prevent robust assessments of the true extent of migrant workers on Scottish farms.”

Table 5.1 Number of Employees: Casual and seasonal staff 2011 to 2021

Year	Males	Females	Total	Migrant labour (person working days)(1)
2011	4,471	2,474	6,945	410,409
2012	4,353	2,139	6,492	546,675
2013	4,539	2,213	6,752	492,607
2014	4,410	2,256	6,666	350,566
2015	4,667	2,171	6,838	459,801
2016	4,389	1,961	6,350	429,741
2017	5,734	2,515	8,249	659,138
2018	5,628	2,587	8,215	710,381
2019	5,829	2,751	8,580	534,327
2020	5,559	2,679	8,238	n/a
2021	5,411	2,592	8,003	394,229

Source: Table 8a. [Final Results of the June 2021 Agricultural Census](#) together with June results for the years 2011 to 2020 for comparison.

(1) migrant workers are workers that are not UK nationals. Improved data available in 2017. Impact of changes to Census due to COVID-19 resulted in insufficient data returned to produce estimate for 2020. For more information, please see accompanying methodology report.

Table 5.1 shows that in 2021, the Scottish June Agricultural Census estimated 8,003 casual and seasonal workers but this includes both migrant and non-migrant workers. Migrant labour in person working days gives another indication but is susceptible to inaccuracies and double counting. With that said, evidence from employers in this report (See section 4) and elsewhere suggests migrant workers make up the vast majority (~90%) of the seasonal workforce.

While it is recognised there are limitations with using the casual and seasonal staff figures from the June Agricultural Census in Scotland, in conjunction with other sources, it does provide an indication of trend. The number of casual and seasonal

staff fluctuated between 6,350 and 6,945 until 2017 when it rose to 8,249 and increased to 8,580 in 2019. Then in 2020 and 2021 the number of casual and seasonal staff has fallen, and in 2021 was estimated to be 8,003.

Accounts by NFUS confirm the downward trend seen in the June Agricultural Census in Scotland and suggest the number may be lower in 2021, due to retraction in the area of vegetable crops, lower returns and higher costs for fruit and vegetables, and the Ukraine war affecting availability of labour.

Through this project's research advisory group researchers were made aware of another recent estimate. The data was not published nor made available to researchers. However, the approach and its limitations have been shared as follows. In 2021, Scottish Government's Science and Advice For Scottish Agriculture (SASA) division compiled public health data collected during the Coronavirus (COVID-19) pandemic and arrived at an estimate of between 7,500-9,000 seasonal migrant workers in Scottish agriculture during any one season. The figure was compiled using information from the UK Border Force passenger location forms collected at all UK ports of entry (i.e. sea ports and airports) where the passenger's final destination was a Scottish farm and also from the number of Coronavirus (COVID-19) tests being returned. The limitation to this estimate and the reason for it being presented as a range is that there could be double counting.

The 2018 '[Farm Workers in Scottish Agriculture](#)' report conservatively estimated that there were 9,255 seasonal migrant workers engaged in Scottish agriculture during 2017 (including 900 employed directly by labour providers). Thomson et al (2018) also list the following challenges to estimating the figure:

“A key challenge in estimating the extent of seasonal migrant labour use in Scotland relates to complexities surrounding: (i) variance in the proportion of labour being directly employed on farms compared to that indirectly employed through labour providers; (ii) incomplete estimates of seasonal migrant labour provision in administrative databases; (iii) farm businesses leasing their land to specialist growers who undertake all of the farming activity (which does not appear in official databases but needs to be considered to prevent a gross overestimation); (iv) the transitory nature of some migrant labour – working on multiple farms.”

To summarise, since 2017 estimates from various sources on the number of seasonal migrant workers have ranged from 7,500 to 9,255.

In this report, econometric macroanalysis modelling techniques were used to explore if there was an appropriate technique which could be used to model the number of agricultural seasonal migrant workers. Different approaches were used to model an estimation of the number of seasonal migrant workers using data from the Employer Survey and some utilised data from the Scottish June Agricultural Census. The techniques described in Appendix G resulted in a number of estimates. Different techniques arrived at different estimates. Estimates vary between 2,932 and 6,570 seasonal migrants working in Scottish agriculture in

2021. When including EU Settled status workers the uppermost modelling estimate is 6,570 seasonal migrant workers. Due to the nature of the research, there are limitations to the sample size used in forming the estimates of this methodological approach.

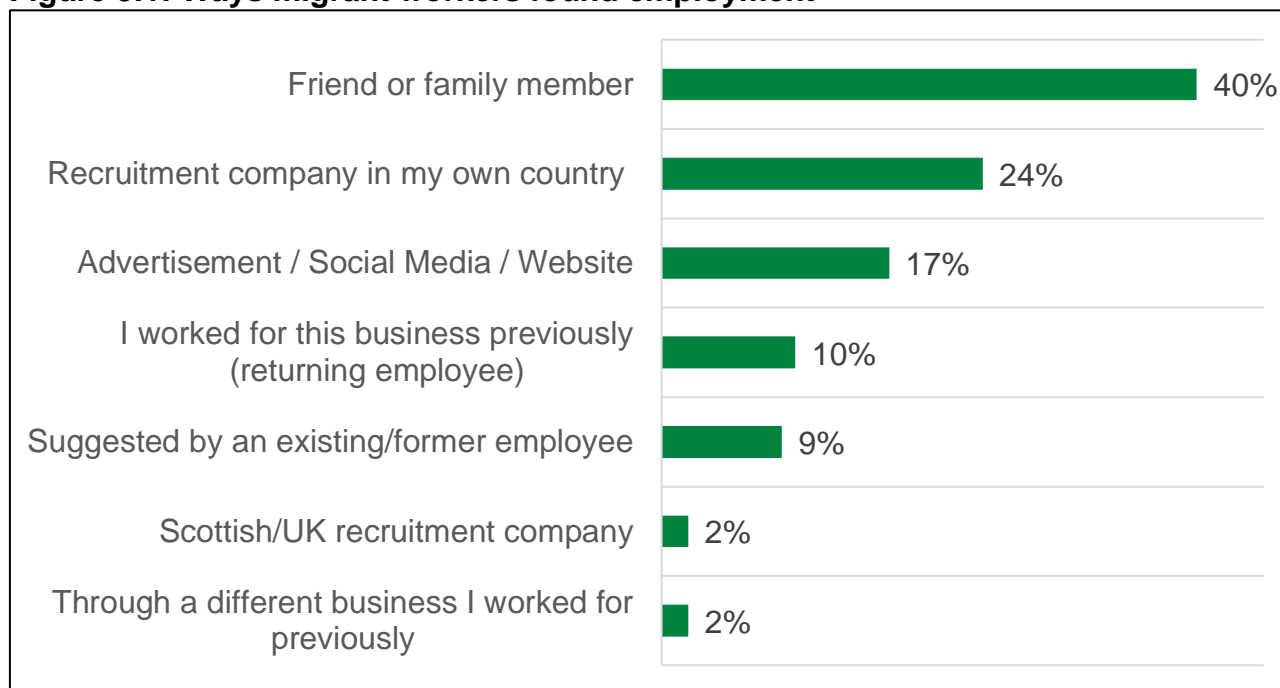
It is clear from these findings that without comprehensive data that is collected the same way each year, the Scottish Government cannot establish trends and connect world events or UK migration schemes to any change in numbers.

5.3 Worker Survey

Worker experiences of recruitment

Two out of five workers (40%) found their employer through a friend or family member. Around a quarter (24%) used a recruitment company in their own country. Less than a fifth (17%) saw an advertisement/social media/website to find their current employer (figure 5.1). This finding bolsters the importance of word of mouth and recommendations in encouraging workers to come to Scotland (see section 4).

Figure 5.1: Ways migrant workers found employment

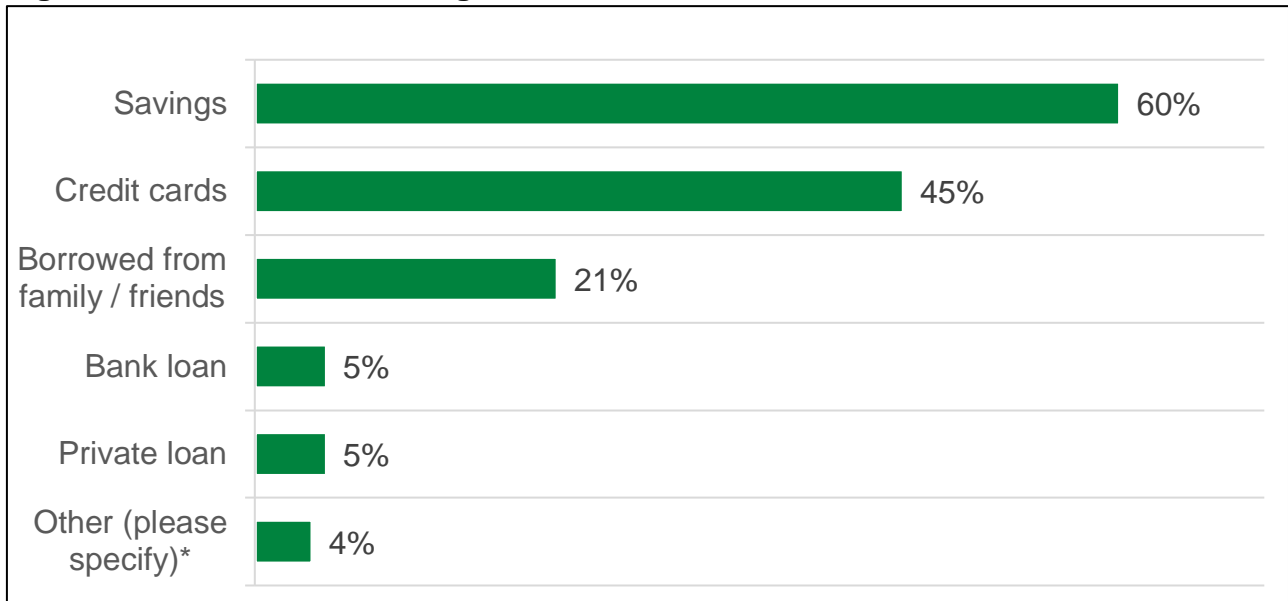


Q9. How did you find your current employment?

Base: n=393

The vast majority of seasonal migrant workers did not need to pay a recruitment fee to find seasonal work in the UK (94%). The most common ways to fund travel to Scotland or the UK were through the use of savings (60%) and credit cards (45%). Around a fifth (21%) of workers borrowed money from family or friends (figure 5.2). It is interesting to note that a half of workers (50%) had come to Scotland based on borrowing loans or credit.

Figure 5.2: Methods of funding travel to the UK/Scotland

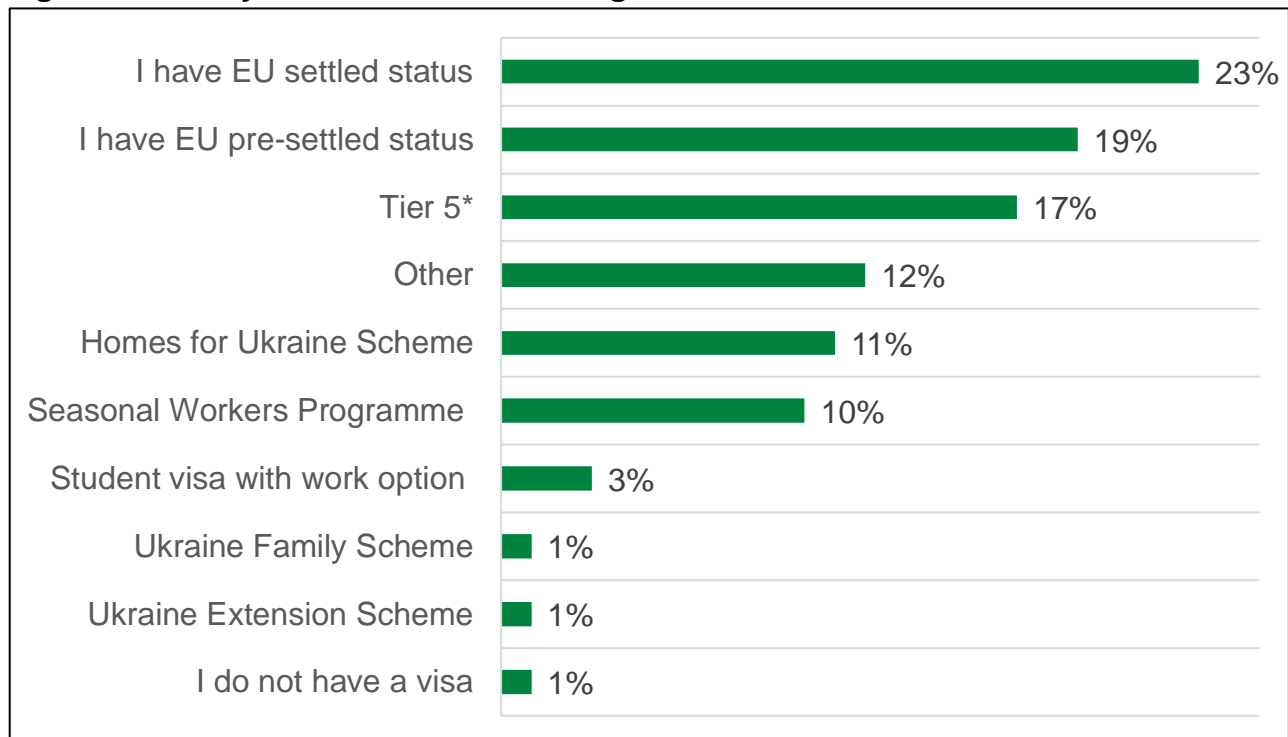


Q11. How did you fund your travel to the UK/Scotland? (select all that apply)

Base: n=396

The majority of seasonal migrant workers had either EU settled status (23%) or pre-settled status (19%). Other routes include the Tier 5 visa (17%), the seasonal workers programme (10%) and Student visa with work option (3%). There were three routes for people from Ukraine to come to Scotland, including the Homes for Ukraine Scheme, Ukraine Family Scheme and Ukraine Extension Scheme which accounted for 12% of the overall entry routes (figure 5.3).

Figure 5.3: Entry routes for seasonal migrant workers



Q2. Which visa scheme are you using in Scotland?

Base: n=391

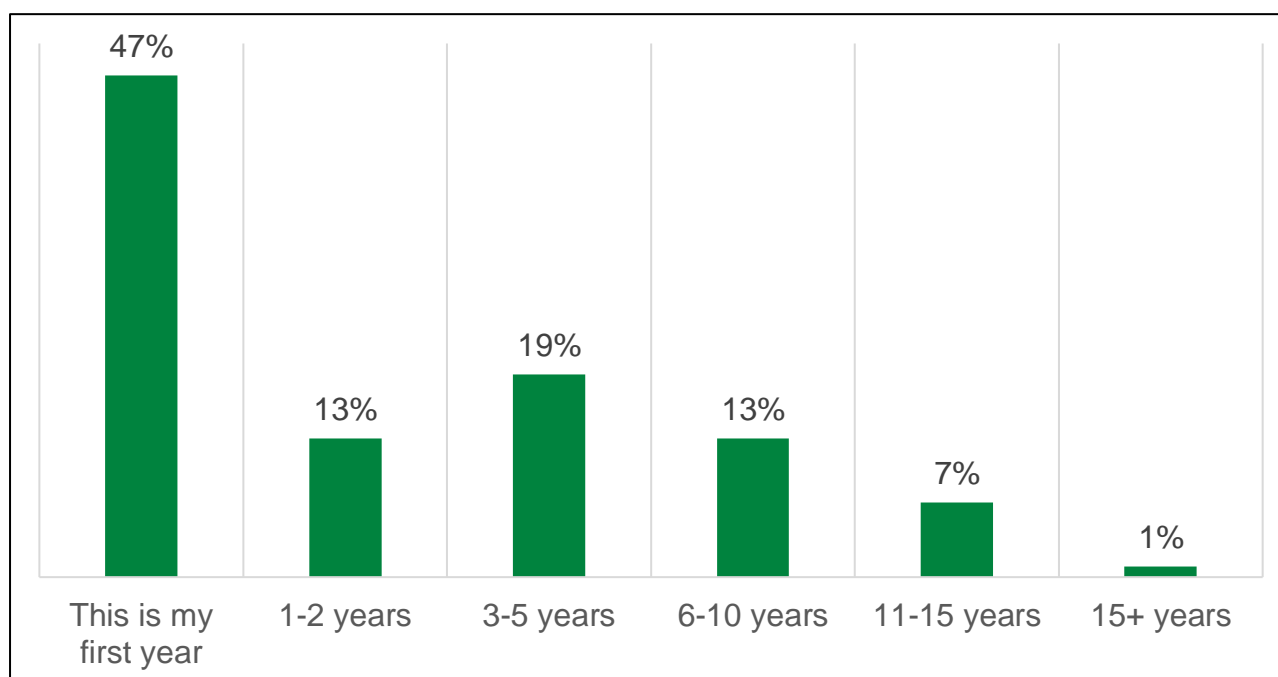
Experiences in Scottish agriculture as a seasonal migrant worker

Just over a third of seasonal migrant workers had not worked in agriculture before. This was the first year a third (38%) of seasonal migrant workers were employed in agriculture in any country. Just under half (47%) had worked in agriculture in Scotland for the first year.

These results differ by sex. Typically, females were more likely to be returnees than males. Over a third of males (37%) were working in Scottish agriculture for the first year whereas only a quarter of females (26%) were in Scottish agriculture for the first year.

Given the desire expressed by employers for workers to return year on year (see section 4) it is interesting to find just over half (53%) were returnees and just under half (47%) were non-returnees (see figure 5.4).

Figure 5.4: Past experience of working in Scottish agriculture



Q8. For how many years have you done the following?

Base: n=280

The highest proportion of returnees have between 3-5 years of experience within Scottish agriculture (19% of all seasonal migrant workers). This is over a third (36%) of all returning migrant workers to Scottish agriculture.

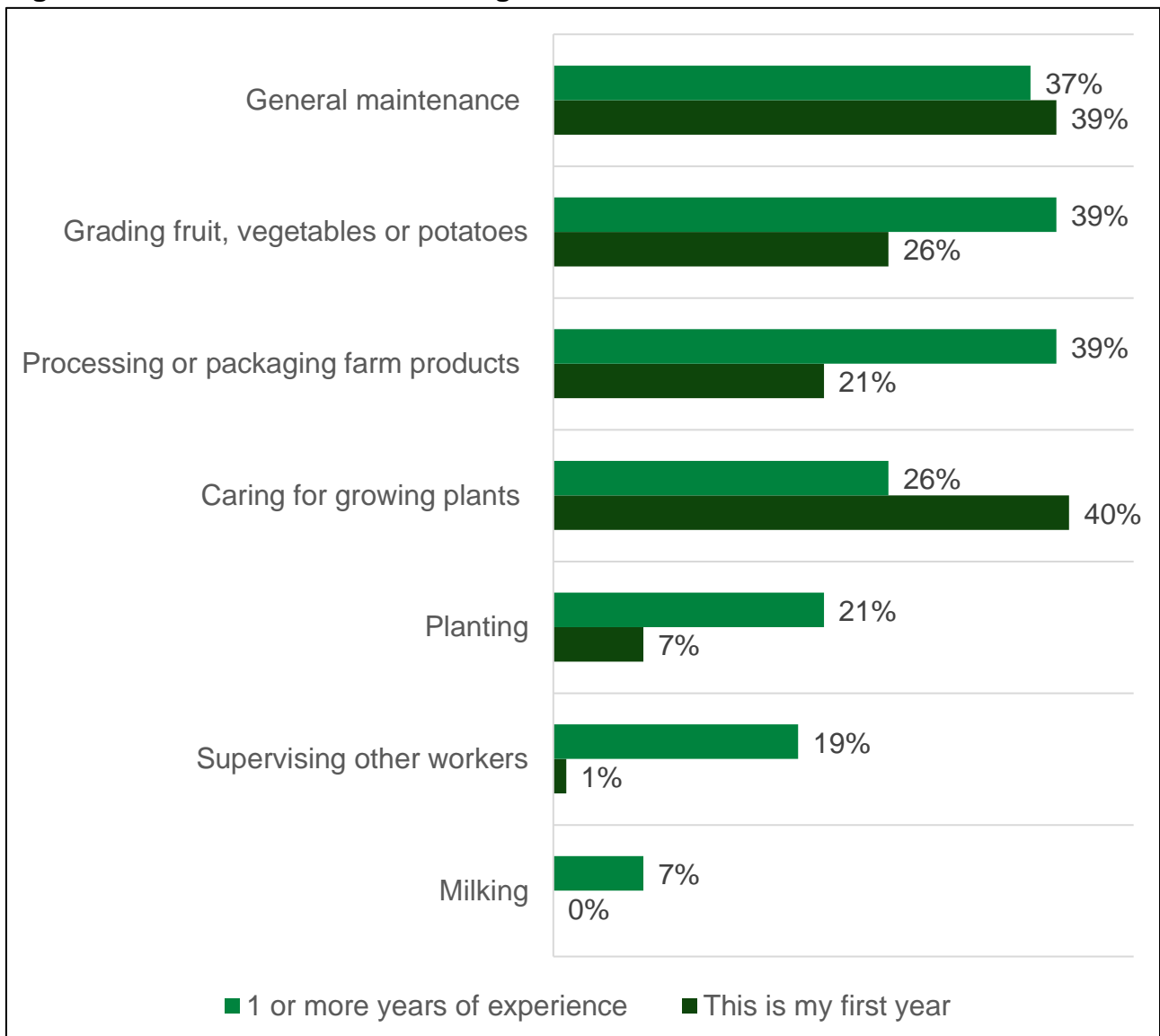
Some seasonal migrant workers had worked across more than one sector in agriculture within the year (12%). As described in the employer and stakeholder interviews (see chapter 4), most workers were employed in the fruit sector (83%). Indeed, none were involved in pig farming or dairy.

The activities conducted by seasonal migrant workers were diverse, and workers selected multiple activities in response to this question. Just over a third were involved in grading fruit, vegetables, or potatoes (34%) or general maintenance

(35%). Processing or packaging farm products (29%) and caring for growing plants (28%) were also common activities.

Under one in ten (8%) were responsible for supervising other workers. This finding relates to what was observed during interviews with employers - that supervisory roles were often performed by seasonal, non-migrant workers or seasonal migrant workers returning to a farm (see chapter 4). Indeed, the seasonal migrant workers in Scotland for their first year carried out a different range of tasks compared to those with any previous experience (figure 5.5). Caring for growing plants was the most common task for those who are working with Scottish agriculture for the first year (40%) compared to those with any experience (26%). Workers with at least one previous year of experience were more likely to be responsible for grading fruit, vegetables or potatoes (39%) than those working in Scottish agriculture for the first year (26%).

Figure 5.5: Activities of seasonal migrant worker



Q14. In your current job, which of the following activities do you carry out?

Base: n=140 1+ years' experience, n=126 first year

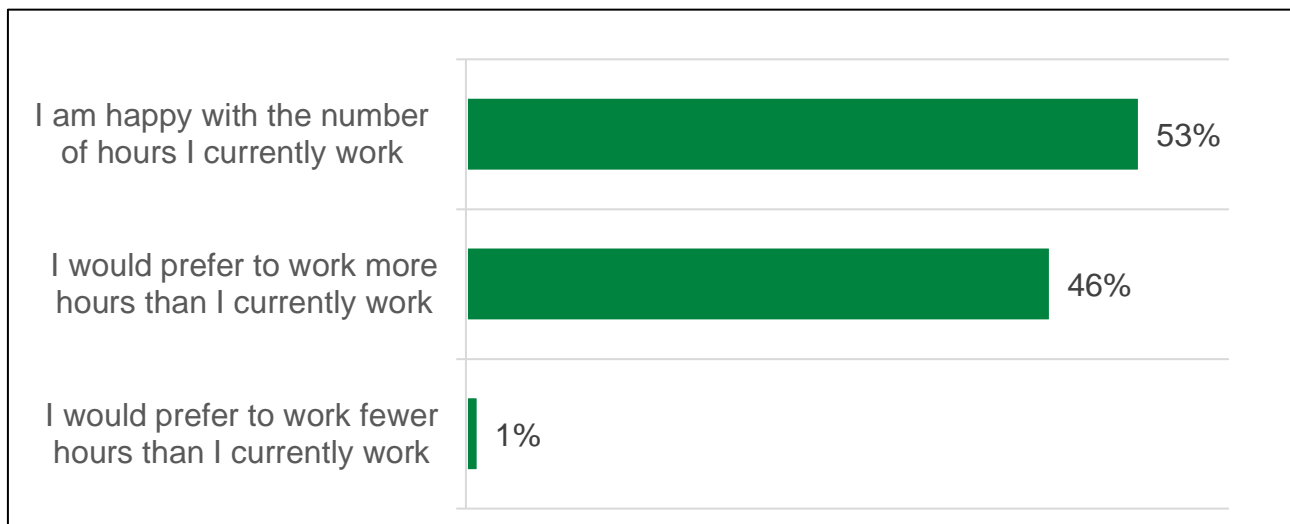
Satisfaction

The survey asked a number of questions relating to satisfaction levels with various elements of work and living conditions. It should be noted that whether individual workers regard these as satisfactory will be subject to their own perspectives. The analysis shows overall findings, and results from analysis looking for difference between different groups.

The vast majority (96%) of seasonal migrant workers were satisfied, including 38% very satisfied, with the working conditions on the farm. A small minority (5%) were dissatisfied.

Just over half (53%) of seasonal migrant workers were happy with their number of hours they work whilst 46% would prefer more hours than they currently work. Only 1% would have preferred to work fewer hours (figure 5.6). This finding relates to the employer and stakeholder feedback that workers may not be able to work the number of hours they desire.

Figure 5.6: Satisfaction with the number of hours worked



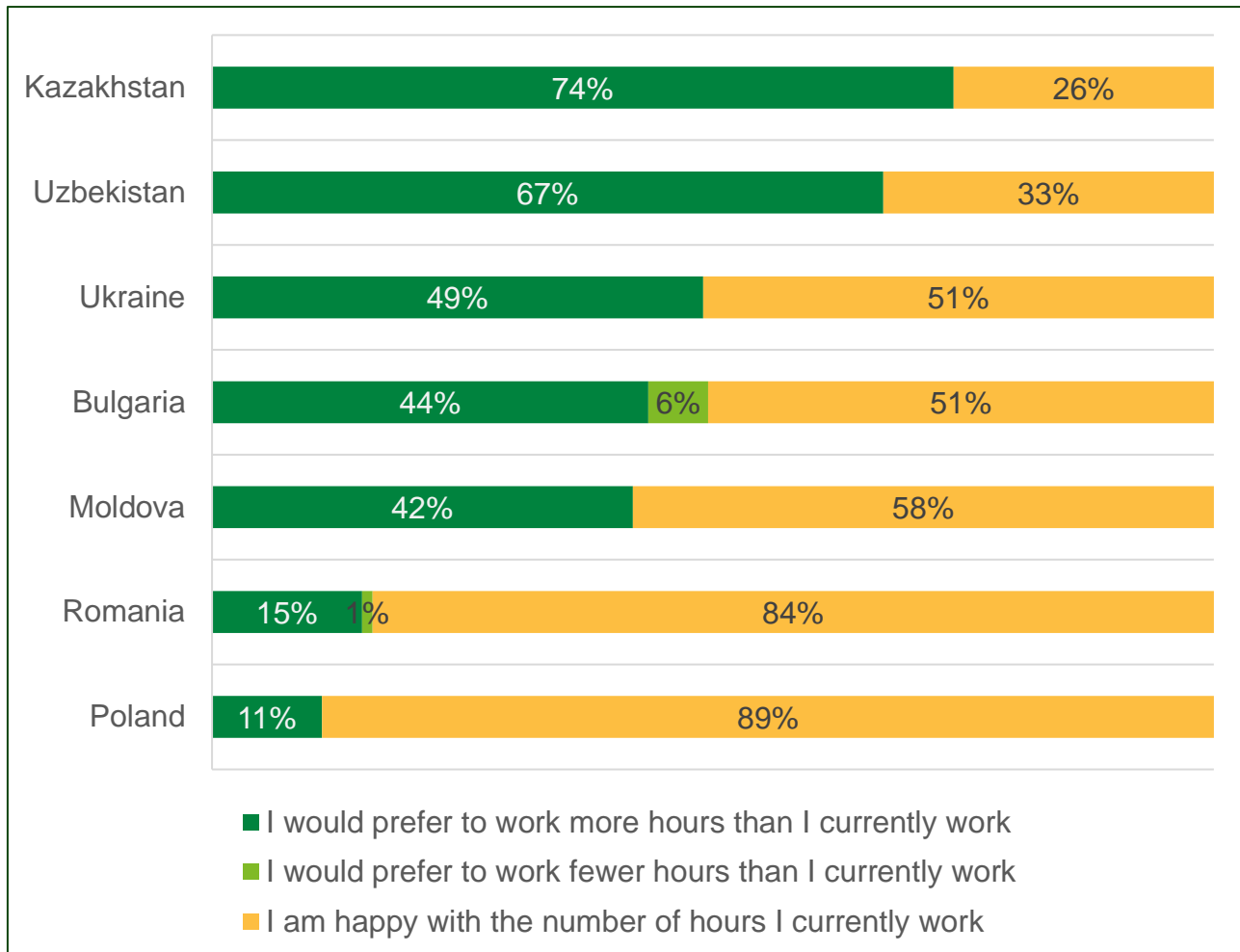
Q16. Please indicate which of the following statements you most agree with

Base: n=393

Females are more likely to be happy with the number of hours they currently work (58%) than males (48%). Conversely, males were more likely to prefer to work more hours than they currently work (51%) than females (40%).

Typically, migrant workers from Kazakhstan would prefer to work more hours than they currently work (74%) as would those from Uzbekistan (67%). People from Poland (89%) and Romania (84%) are more likely to be happy with the number of hours they currently work (see figure 5.7).

Figure 5.7: Satisfaction with the number of hours worked by home country



Q1. Please select your home country

Q16. Please indicate which of the following statements you most agree with

Base: n=314

On average, seasonal migrant employees spent 43 hours working in a typical week and got paid £10.22 per hour. This ranges from a minimum of £4.80 per hour to a maximum £15 per hour.

Workers were asked about benefits provided in addition to their salary. Over three quarters (77%) were provided with transport between the workers' accommodation and where they worked in addition to salaries. Around one in ten (11%) were provided with accommodation in addition to salaries. Furthermore, 9% were provided with power costs by employers in addition to salaries.

On average, seasonal migrant workers paid £62 per week for their accommodation. The cost of accommodation ranges from £30 to £300 per week. Most seasonal migrant workers (84%) lived in a caravan on the farm where they worked. Other types of accommodation included housing on the farm where they worked (9%), private rental housing (3%) and Homes for Ukraine Scheme hosts (3%).

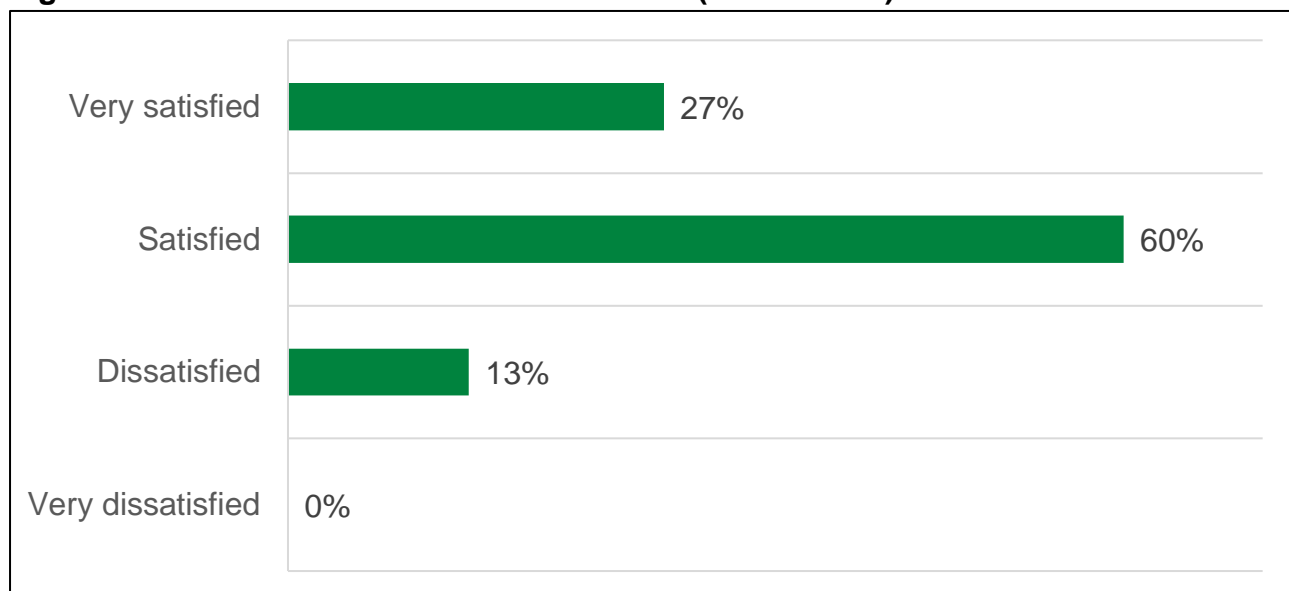
Three quarters (74%) of seasonal migrant workers had accommodation arrangements in place before they came to Scotland. Some were unsure when the accommodation arrangements were made (11%) whilst the remainder did not have accommodation arrangements in place (15%).

Employers were typically responsible for arranging accommodation (90%) however a small minority of seasonal migrant workers had found their own accommodation (4%). Friends or family (3%) also helped some with their accommodation arrangements while recruitment agencies helped 2%. This result indicates that responsibility for arranging accommodation largely rests on employers.

The majority (87%) were satisfied with accommodation (27% very satisfied, 60% satisfied) while 13% were dissatisfied with their accommodation (see figure 5.8).

Satisfaction did not depend much upon the type of accommodation, although satisfaction with caravans on farms was 84%.

Figure 5.8: Satisfaction with accommodation (Base n=390)

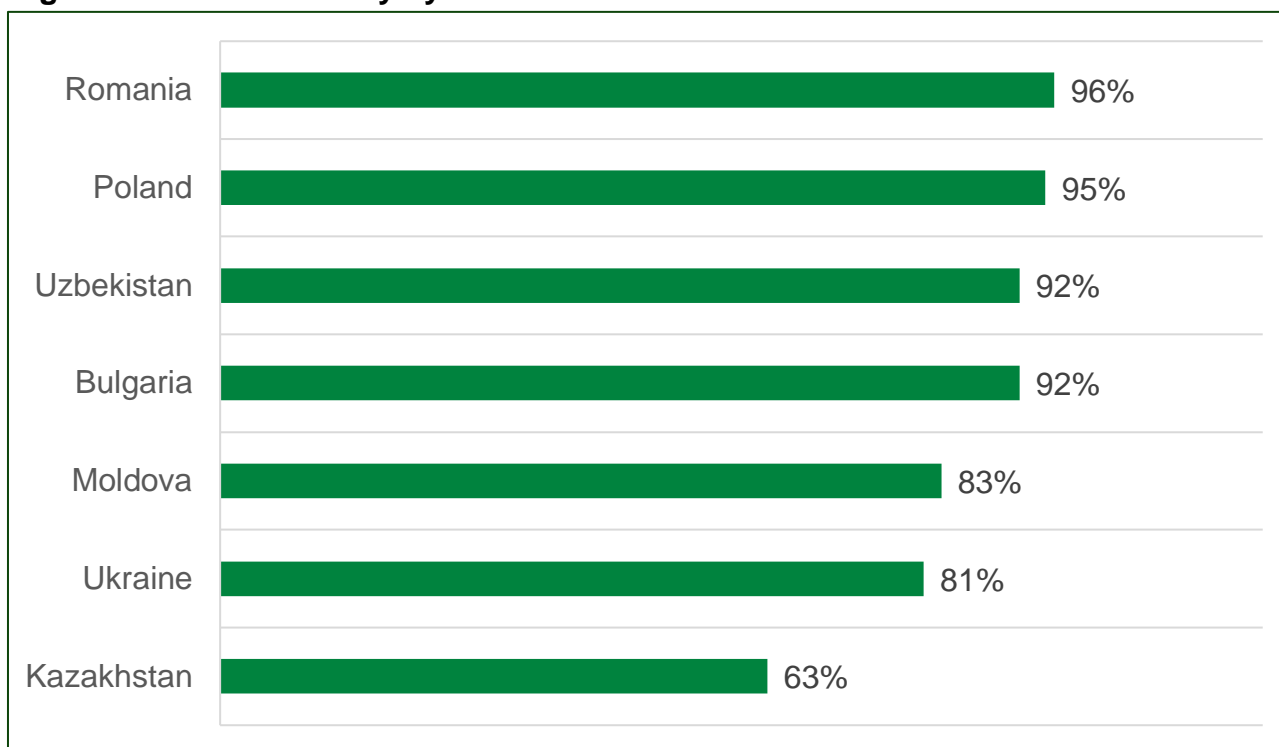


Q24. How satisfied are you with this accommodation?

Base: n=390

Satisfaction levels differed between people from different home nations. People from Romania had highest rates of satisfaction with their accommodation and Kazakhstan the lowest (see figure 5.9).

Figure 5.9: Home country by satisfaction with accommodation



Q1. Please select your home country

Q24. How satisfied are you with this accommodation?

Base: n=312

Long-term prospects and viability of the industry

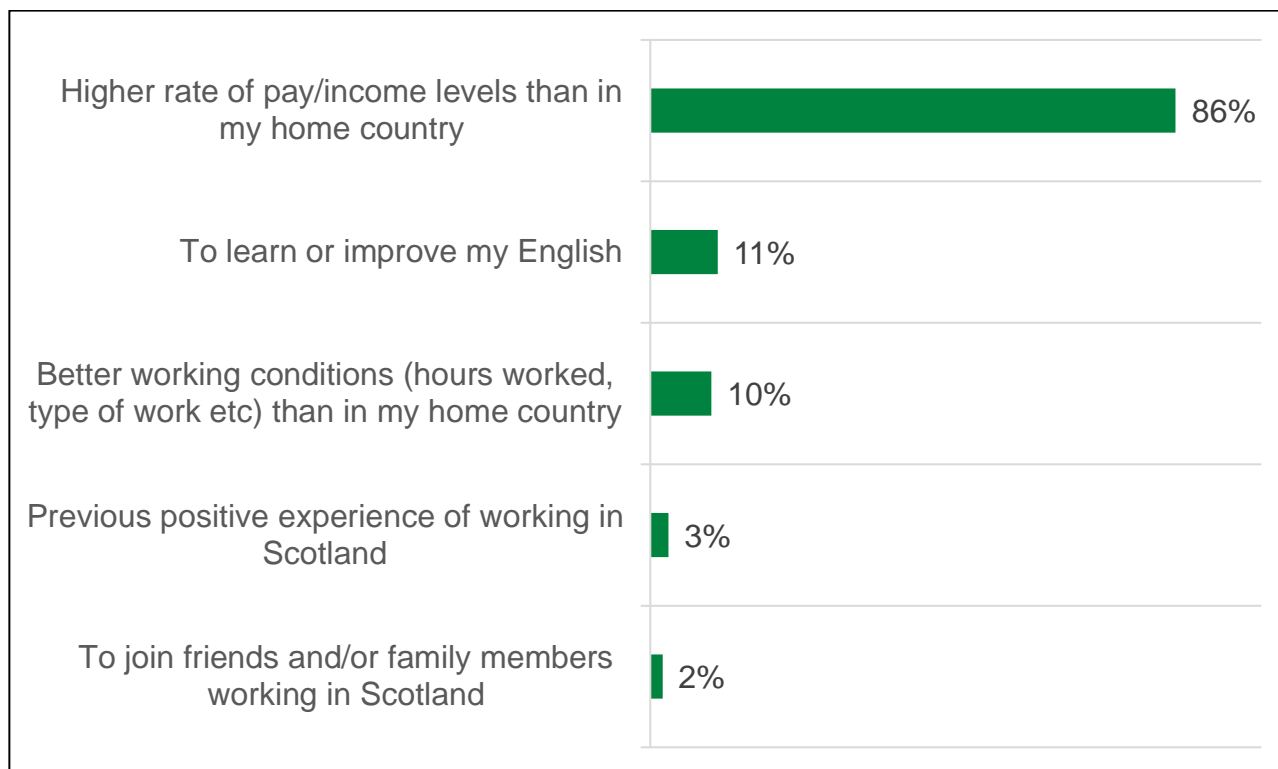
This section starts by presenting findings on the motivations for workers coming to Scotland. Next, challenges of working in seasonal migrant workers are shared. Next, positive aspects are summarised. The section finishes by presenting data on intentions to return to work in Scottish agriculture.

Motivations

Seasonal migrant workers reflected upon reasons for coming to Scotland in order of importance. A higher rate of pay/income levels than in my home country was the most influential reason for 86% of seasonal migrant workers (figure 5.10).

One in ten (11%) chose their top motivation as the opportunity to learn or improve their English while fewer (2%) selected travelling to meet with friends or family working in Scotland as their top motivation (2%).

Figure 5.10: Reasons for migrant workers coming to Scotland



Q12. What are the main reasons you came to work in Scotland? Please rank order of importance where 1 is most important and 5 is least important.

Base: n=279

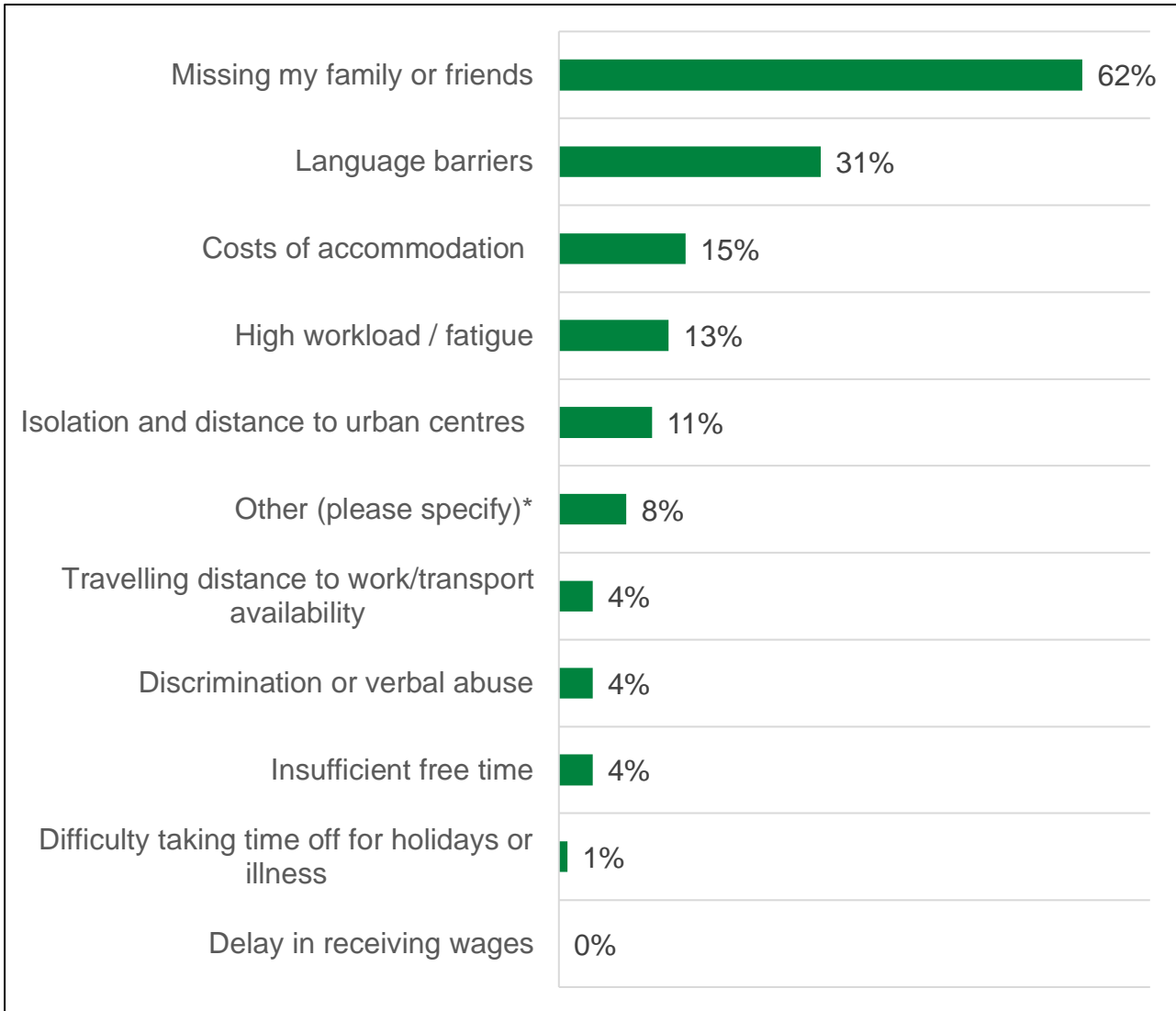
Challenges of working in seasonal agriculture in Scotland

Seasonal migrant workers faced challenges during their time working in Scottish agriculture (figure 5.11). The most prevalent challenge selected was missing family or friends (62%). This finding supports a future focus on well-being of workers and enabling workers to regularly communicate with friends and families.

Other notable challenges were costs of accommodation (15%), high workload/fatigue (13%) and isolation and distance to urban centres (11%). Encouragingly no seasonal migrant workers reported any delay in receiving wages, and very few (1%) with difficulty taking time off for holidays or illness.

Around a third experienced challenges around language barriers (31%). This indicates that language provision and support could be improved. Looking further into these responses, this challenge was not limited to only those people with a self-described beginner level of English-speaking ability (see figure 5.12).

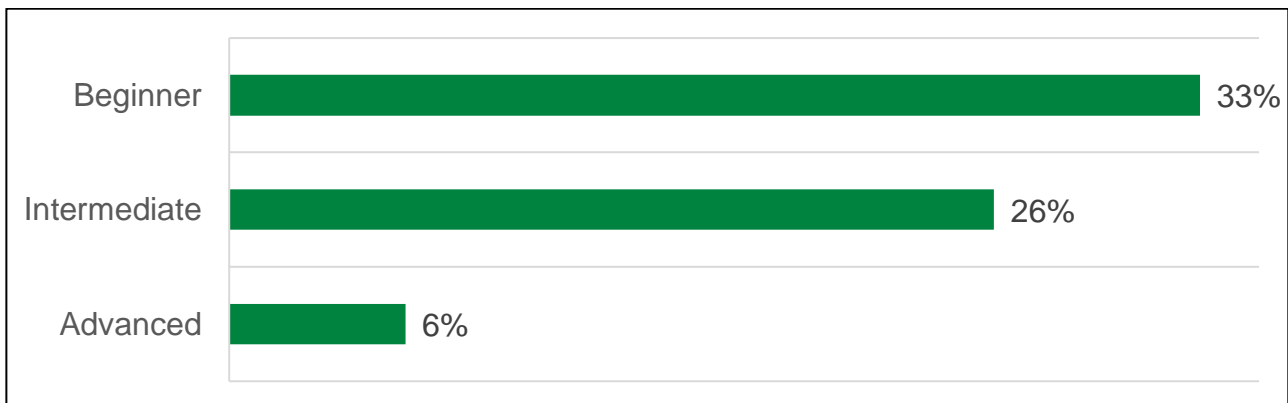
Figure 5.11: Challenges facing seasonal migrant workers in Scottish agriculture



Q25. During your time working in seasonal agricultural work in Scotland have you experienced any of the following challenges?

Base: n=339

Figure 5.12: Language barrier by English speaking ability



Q5. How would you describe the level of your English-speaking ability?

Base: n=98

In text responses expanding on their answers, a negative feature was a lack of nearby friends and family and the distance from home. Although a couple of respondents mentioned living and working on farms with their children or other family members, many talked about feeling homesick and missing their relatives. In line with this, a few workers felt there to be cultural differences with some co-workers who did not share their interests or hobbies:

“Interests do not coincide with Bulgarian and Romanian, especially in music”

Many respondents commented on the unpredictability of Scottish weather – namely, the rain and colder weather– and preferred the climate of their home countries.

A few respondents felt that they received a low rate of hourly pay for their work, while others noted that the (typically six month) time limitations posed by visa restrictions and/or the Seasonal Workers Programme had negatively impacted their overall experience of working in Scottish agriculture:

“The visa doesn't last very long, only six months”

A few workers were unsatisfied with the hours they work; some respondents were of the view that they were working too much, while others were not working as much as they would like. Others discussed a lack of free-time and a perceived monotony of tasks:

“Few hours of work, I would like 50-55 hours in a week”

The remoteness of some farms, especially those away from towns, cities, or other amenities, was also considered a disadvantage, and could be seen as isolating.

Respondents who paid towards accommodation mentioned the expensive cost of these, whilst others complained about accommodation conditions, including living in caravans and the colder temperature of these during the autumn and spring months.

The level of manual labour required from the work was considered to be a negative by some respondents. Indeed, some mentioned having back pain from working with low-lying soft fruit.

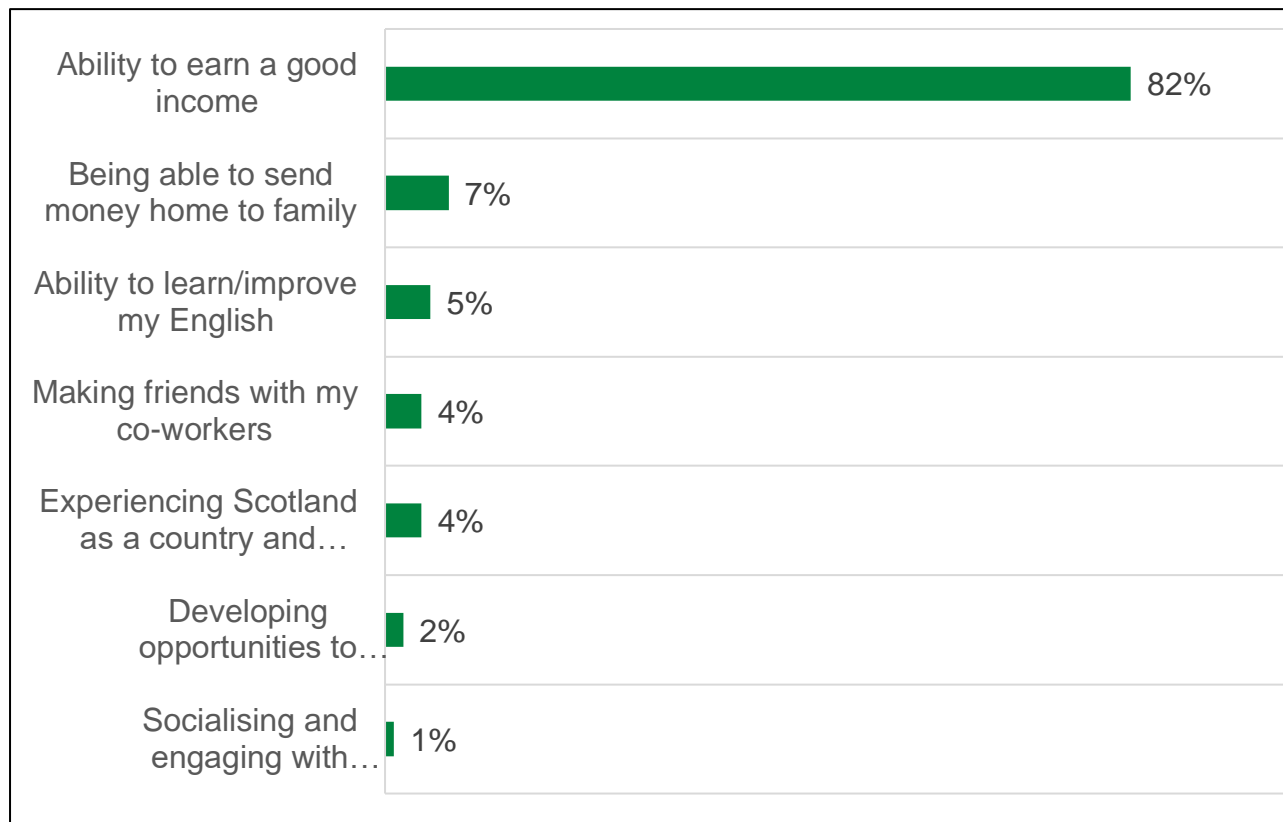
A few workers mentioned terms like ‘discrimination’ or ‘unfairness’ but did not provide further detail on the nature of this. However, many respondents emphasised in their written responses that they were happy with their experience and had no negative aspects to report.

Positive aspects of working in seasonal agriculture in Scotland

Seasonal migrant workers ranked the positive or beneficial aspects of working in Scottish agriculture from one to seven, where one is the most positive/beneficial and seven is the least positive/beneficial.

The most positive/beneficial aspect of working in Scottish agriculture was the ability to earn a good income, with over eight in ten selecting as most positive aspect (see figure 5.13).

Figure 5.13: Most positive/beneficial aspects of working in Scottish agriculture



Q26: What are the most positive aspects during your time doing seasonal agricultural work in Scotland? (Please rank each answer from 1 to 7, where 1 is most important and 7 is least important to you)

Base n=200

Seasonal migrant farm workers expanded on these aspects in text responses. Phrases such as ‘good vibes,’ ‘good atmosphere’ and ‘friendly people’ were added. The experience of farm working, and living in Scotland more generally, had offered respondents great opportunities to find new friends and meet and interact with people of different backgrounds, nationalities and cultures:

“New experiences, friends, discovering a new culture and special people”

Many respondents had enjoyed experiences offered by the Scottish landscape, culture and people, and mentioned the politeness and friendliness of locals they had encountered. Workers also noted that the discovery of Scottish traditions and festivities had enhanced their experience. Several respondents appreciated Scotland’s architecture and natural beauty and had enjoyed learning about, and visiting, Scottish landmarks and other sites of interests:

“Social integration in working environment, learning about Scotland landmarks. City infrastructure, Scottish nature.”

“The opportunity to get to know a new country and to know and respect its traditions”

Similarly, others liked having ‘leisure-time’ or ‘free-time’ to relax, explore their surroundings or go on excursions. Such excursions could be organised by employers or by workers themselves:

“Organisation of leisure activities by the employer. Sea and nature!!!”

“Have travelled and went on a trip Shetland and around Great Britain”

Good relationships with employers and other co-workers were an important ‘positive.’ Many respondents praised the friendly and accommodating attitude of management towards workers and said they enjoyed working with, and learning from, others in their team:

“A friendly farm owner who was in constant contact with the workers.”

A prominent positive feature of respondents’ experiences was the high earning potential offered by seasonal agricultural work. The vast majority of respondents discussed having a ‘Good salary,’ ‘Good pay’ and ‘Good wages for the work I do.’ Others were happy to receive timely payments of fair wages and liked the potential to get paid extra based on performance. The income afforded by working in agriculture was summarised by one respondent who noted that:

“Agriculture brings a good income. To be able to do a lot, to learn new things and feel that you can is a very pleasant feeling, especially when you can earn!”

Others were pleased at being able to learn skills in and experience working in agriculture. A few respondents felt that it was versatile work experience, as they could transfer learned skills to other roles or scenarios. Seasonal agricultural work was also seen as positive where there were opportunities for training, career growth, self-improvement and learning something new. Others were positive about gaining extensive experience with agricultural machinery, cultivation and acquiring skills in the care and packaging of produce, such as soft fruits. Similarly, living in Scotland had led workers to learn the English language or improve their English-speaking abilities.

A few respondents said that they found certain aspects of working in Scotland more appealing than their own country, but tended not to give examples of these, other than pay:

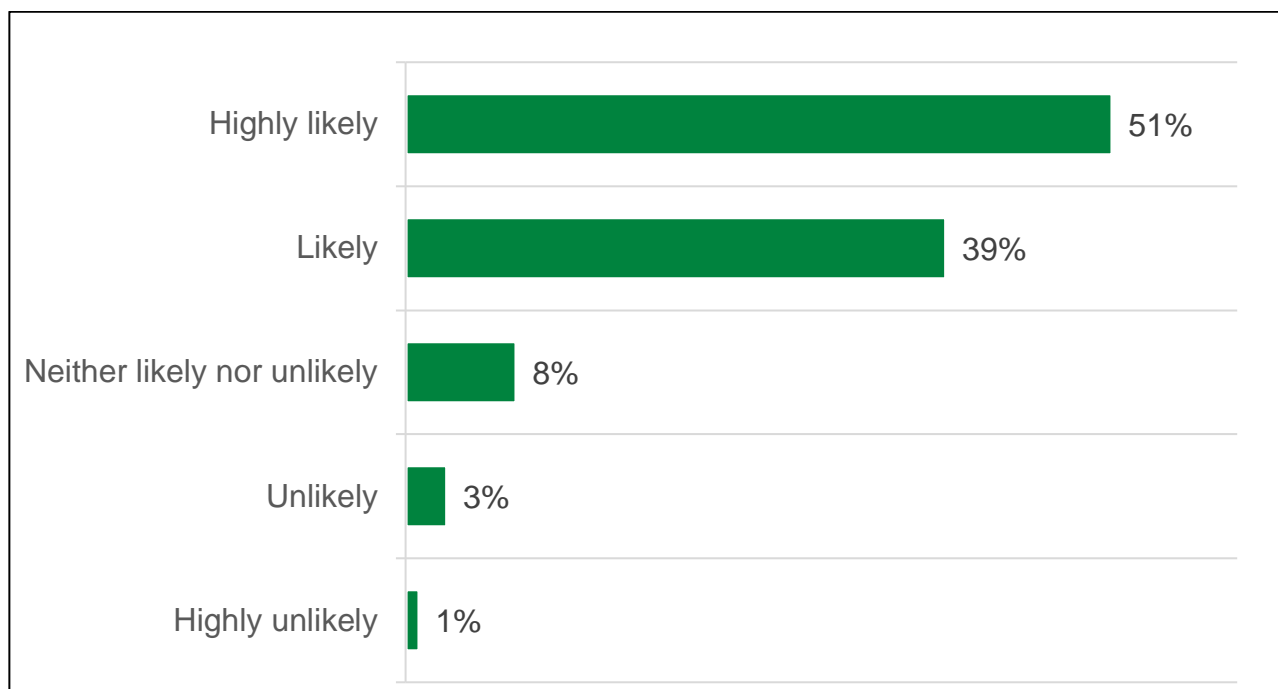
“That I've earned slightly more money that I would have had in my country”

A small number of respondents felt that there were no positive features of their experience working in Scottish agriculture, writing that these “Do not exist.”

Reflections on coming back to Scotland

Only a small minority (4%) did not intend to return to Scotland for future seasonal agricultural work (see figure 5.25). The majority were likely to return (89%). Reasons for the small minority not planning to return to Scottish agriculture included ease of future access to UK (20%), having a permanent job arranged (19%) and the cost of living (14%) (see figure 5.14).

Figure 5.14: Likelihood of returning to Scotland



Q27. Which of the following best represents your view on whether you will return to Scotland for future seasonal agricultural work?

Base: n=383

Respondent views on whether they would return to work in agriculture in Scotland were mixed. For clarity, text responses have been summarised regarding 'Yes,' 'No' and 'Maybe' categories below.

Many of those who stated they would like to return to agricultural work in Scotland did so because they have enjoyed living and working here, with some re-affirming that they like Scotland's culture and traditions:

"Yes. Interesting culture and polite people"

The vast majority centred around the perceived '*better pay*' they receive in Scotland, higher earning potential and the pursuit of 'a better life' than that on offer in their home countries. Some wished to return to improve their English-speaking abilities, while others felt that the Scottish agricultural sector offered job security and stability. The ability to save was also seen as advantageous, with some respondents outlining their motivations to return to work in Scottish agriculture in order to reach a goal, such as buying a house for themselves and their families:

“Yes, it is easier to save while on the farm, you don't have to deal with city temptations”

Enjoyment of working in, and building experience of, the agricultural sector was another key motivating factor for return, whilst other respondents wished to progress upon return and take on new roles, such as that of supervisor:

“Yes, I would return only as a supervisor. Growth is very important for me”

Others stated that they would return if they could not find a job based on their newfound experience in their home country.

Those who did not plan to return to work in Scottish agriculture instead wanted to move on to work in another sector or speciality, often in their home country, and saw agricultural work as a ‘fallback option’:

“I would like to move on and find a job in my speciality. In extreme cases, I will return to agriculture”

Several respondents said that they dislike agricultural work – particularly the levels of manual labour and physical strength required – and mentioned for example, the negative health impacts of bending and heavy lifting.

Some respondents who were unsure whether to come back to work in agriculture in Scotland again wrote that their return would be dependent on their visa status:

“I will come back but I have restrictions as I don't have status, I am on a visa”

A few respondents would take pay levels into consideration when deciding whether to work in Scottish agriculture again. One respondent would return if they were invited to do so by their farm/employer, while another noted that the labour intensiveness of agricultural work would influence their decision.

5.4 Workers Interviews

These pen portraits provide an insight into the lived experience of individuals working as seasonal migrant workers in Scotland. These are based on interviews with three women who worked on different farms. Two worked on fruit farms and one on a vegetable farm. One of the women shared her experience as a first timer working on a Scottish farm. The other two were returnees.

Silvia

Silvia, in her mid-40s, had returned to work on the same farm for the past three years. As a native Bulgarian speaker, she could also speak English at beginner level. She was initially motivated to work in Scottish agriculture after hearing her friends talk about their experiences and thought it would help to alleviate the financial struggles she was facing at the time.

She has not used recruitment agencies, and instead found the farm she works on through recommendations and her own online research. Silvia had found her established relationship with the farm helpful in arranging return, as she contacted them directly to check if there was work available. Other than travel costs, which she paid for herself, her returns have not incurred other expenses, such as recruitment fees.

She had good awareness of her tasks – which include the sorting and harvesting of vegetables – and knew what to expect upon each return.

While Silvia was expecting to work more hours, she found her working hours of approximately 48 per week to be sufficient. Silvia noted that working conditions were good and her pay of £9.50 was what she was told in advance. She also felt confident and able to freely discuss issues with permanent employees on the farm. She commended her employer for being responsive to requests for the living and working arrangements.

Over the years she has lived in shared caravan accommodation. In fact, this has been with the same group of women for three years. Though she initially felt that some of the furniture, such as the beds, were too small, she said the accommodation was pleasant, clean, and comfortable.

Silvia's employer had not offered any social activities during her stay, though she said this is largely due to COVID-19 precautions. She had regularly made use of local buses to travel into the nearest town or travelled with colleagues in their private vehicles.

Having not worked in agriculture anywhere but Scotland, Silvia was unsure of how it compares to other countries. She was keen to return to work in Scottish agriculture because her impression was that the earning potential was higher than other countries, including England. She would recommend her experience to others primarily for this reason.

Nicoleta

Nicoleta, in her mid-40s, had worked in Scottish agriculture for eight years, seven of which had been on the same farm. She was primarily motivated by her desire to come to Scotland, as well as the potential to earn more money than she could in Romania. Nicoleta speaks Romanian, and her time on the farm enabled her to become an advanced English speaker.

She initially found her employer through an agency in Bucharest, and also used advertisements and websites to find out about agricultural work in Scotland. Here, she saw a job opportunity where her and six others – including members of her family and close family friends – could stay and work together on the one farm.

Nicoleta had experience of running her family's land holding in Romania and was experienced in many aspects of agriculture prior to coming to Scotland.

Nicoleta stated that all of the information she received before coming to Scotland was correct and accurate. Nicoleta has not had to pay recruitment fees, though she does pay for her own travel costs.

Having worked on the same Scottish farm year on year, she has established strong relationships with her employer and other colleagues and spoke of them in her interview as her second family.

Nicoleta described her tasks on the farm as manageable. These tasks were mainly picking and grading soft fruit, like blueberries and strawberries. Again, she had good awareness of the types of tasks she may be asked to carry out, while her frequent returns to the farm have offered opportunities to build her knowledge and learn new skills.

She explained that her pay, £9.50 per hour, was clearly laid out and also met her expectations; she said she received a good bonus for her work. She was happy with the number of hours she worked, which she estimated as 42 hours per week.

She enjoyed staying with her daughter-in-law in caravan accommodation on the farm and found it homely where they were able to 'make it their own.' Nicoleta – and other workers on the farm – cooked for themselves and could obtain groceries by walking or getting the bus to nearby shops.

Occasionally, the owners of the farm provided catering for special events, such as in the summertime, offering the opportunity for employers and employees to eat together and socialise together. Nicoleta has formed friendships with workers of many nationalities – including those from Bulgaria, Ukraine and the Czech Republic – over the years.

Nicoleta had a less positive experience at the first farm she worked at during her first year in Scotland. She recalled how some employees were overly competitive and sought to take work from others. Her concern was with the negative atmosphere and tensions between workers, rather than any complaints with her

employer. But as a result, she sought out a farm with a friendlier atmosphere and better working relationships the second year onwards.

As Nicoleta typically works at her current farm between April and October, she has also worked in other parts of the United Kingdom outside this period. For instance, she had a positive experience when working in a packaging house on a trout farm near London. Nicoleta also briefly worked in manufacturing at a factory in England, but realised she preferred to work outdoors.

Citing the reasons mentioned above, as well as what she saw as a higher earning potential in Scotland compared to Romania and other European countries, Nicoleta anticipated many returns to her current farm and was strongly considering a permanent move to Scotland.

Maria

Maria, in her late 20s, is from Ukraine. She described the shared aspiration her and her partner had to come to work in Scottish agriculture. This came about through recommendations from family members who had previously worked in Scotland and preferred it to working in England. Maria and her partner initially planned to achieve this aspiration through a UK-based recruitment agency and had started on the visa application process. Their plans were then affected when Russia invaded Ukraine in February 2022.

Maria was later contacted directly by a farm manager, who offered to sponsor her and her partner under the Homes for Ukraine programme and arrange their visas. The farm manager was keen to extend help to others in a similar situation and encouraged Maria and her partner to invite others who needed help and/or were in danger to join them at the farm.

The couple paid for their own travel costs, though their visa expenses were reimbursed through the Homes for Ukraine programme. They also drew on their personal savings. Like others using the Homes for Ukraine programme, they were issued a £200 welcome payment, enabling them to complete their registration and reach their sponsor.

Before coming to work in Scottish agriculture, Maria watched online videos of agricultural work to gain insight into potential tasks she may have to undertake on the farm. Some of these videos gave her a negative impression – in terms of the difficulty of the work, effort required and weather conditions. However, on coming to Scotland she found her own tasks to be more manageable, and less challenging, than she was expecting.

Maria speaks her native Ukrainian and described her English levels as intermediate spoken. She felt that all of the information she received before coming to work in Scottish agriculture was clear and correct. Before travelling, she had good awareness of how much she would be working and earning. This was helped by

documentation outlining pay and hours ahead of her arrival on the farm. Maria had also received a link to the farm's website, so she could see what the farm looked like and where it was in Scotland. She found this level of transparency reassuring.

Although Maria had not felt the need to make any complaints whilst on the farm, she knew of other workers who had done so. She framed this positively in that her colleagues felt comfortable making complaints or suggestions to specific points of contact on the farm. Her impression of the response to these suggestions was that the farm was responsive, open to feedback and quick to resolve issues.

Maria stayed in a caravan with her partner. She felt that it was spacious and had a good level of amenities, including indoor bathroom facilities. She did point out that some people of other nationalities working on the farm lived in 'four-person' caravans, and wondered whether their living situation might have been a result of checks required by the Homes for Ukraine programme. Apart from water, gas and electricity costs (which Maria paid for) any remaining accommodation costs were covered by her employer. She bought her own food but could use on-site facilities to cook. She also had unlimited use of on-site washing machines, with her own supply of detergent. Although Maria was initially tasked with picking and harvesting fruit in the fields, she was soon transferred to work in a facility for grading, processing and packaging. She estimated that she worked around 40 hours per week and was happy with that level. Maria was paid £9.50 per hour on the farm.

The farm housed a gym and games room which she enjoyed. Whilst her and the packaging facility team attended parties organised by the farm manager and firm owner, she was unsure as to whether field workers had similar social events.

Maria appreciated that the farm manager took the time to check in with workers and get to know them and had good relationships with the workers. She made many friends throughout her first year of working in Scottish agriculture – all of whom aim to return to the same farm next season – and Maria would recommend the experience to others.

5.5 Conclusion

Most of the results in this chapter were derived from the Worker Survey which achieved a large sample of responses from seasonal agricultural workers (439).

In terms of nationality, a fifth of respondents (21%) were from Romania, just under a fifth (18%) were from Bulgaria and 17% were from Ukraine.

Over half of the workers who responded were men, however there was a high prevalence of female migrant workers (42% of respondents).

Respondents were of a range of ages, from 18 to 62, with an average age of 33 years. Around half of workers completing the survey were returnees (53%) and around half (47%) were non-returnees. Returnees had most commonly worked previously in Scottish agriculture for around three to five years. Those who were in Scotland for their first time carried out a different range of tasks compared to those

with any previous experience. Two out of five found their employer through a friend or family member. Less than a fifth saw an advertisement/social media/website to find their current employer.

Findings on sub-sector and work tasks corroborated what was described by employers and stakeholders. Most workers were employed in the fruit sector (81%). Under one in ten (8%) were responsible for supervising other workers. Seasonal migrant workers spent 43 hours working in a typical week and were paid on average £10.22 per hour. Just over half (53%) were happy with the number of hours they work whilst 46% would prefer more hours. On average, seasonal migrant workers paid £62 per week for accommodation, although costs ranged from £30 to £300. For nine out of ten, accommodation was arranged by their employer.

Most seasonal migrant workers lived in a caravan on the farm where they worked (84%) and had arrangements in place before they came to Scotland (74%).

Areas for improvement indicated by workers were:

- Accommodation and its costs (as 13% were unsatisfied with their accommodation and 15% with its cost)
- Any support with enabling regular communication with friends and family in their home country (as 62% placed this as the biggest challenge of working in Scotland)
- Further support for language barriers (as 31% experienced these)
- Awareness and support for workers experiencing debt (as 50% of workers had come to Scotland based on borrowing loans or credit).

Pen portraits brought the different lived experience of three seasonal migrant workers. Motivations for coming to Scotland were largely in line with responses to the Worker Survey such as potential earnings, recommendations from people they knew and clear information received about what to expect. Their testimonies were positive about their experience of working in Scotland. They mainly highlighted good aspects of their time working and living on farms. All three individuals were happy with their employers and their experiences met their expectations.

6. Conclusion and Recommendations

Key conclusions

Scotland experiences insufficient domestic workforce resulting in high dependency on migrant workers.

There are challenges to every method of collecting data on the number of seasonal migrant workers in Scottish Agriculture in a given year. Since 2017 estimates from various sources have ranged from 7,500 to 9,255. This research conducted a number of modelling approaches using secondary data and primary data. The preferred modelling approach derived an estimate of 6,570 seasonal migrant workers in 2021, including EU settled status workers. There are various limitations with all existing estimates on the number of seasonal migrant workers in any given year due to data limitations such as gaps in data and limited samples.

Recruitment of migrant workers is complicated by the seasonal nature of the work and by competition for labour with other sectors and other countries.

Respondents worked for an average of 43 hours in a typical week. 53% of seasonal migrant workers were happy with the number of hours they work, whilst 46% would prefer more hours.

Workers reported they were paid on average £10.22 per hour.

Accommodation was usually provided by employers, and accommodation provision costs tended to be deducted from pay. On average, seasonal migrant workers paid £62 per week for their accommodation, although costs ranged from £30 to £300.

Around half of workers were returnees (53%) and around half (47%) were non-returnees. Returnees had most commonly worked previously in Scottish agriculture for around three to five years.

This chapter starts by reiterating the importance of seasonal migrant labour to a sub-section of the agricultural sector in Scotland. The next sections include key findings relating to each of the four research aims. Recommendations stemming from this research are included at the end of the chapter.

6.1 Importance of seasonal migrant labour to the agricultural sector

Literature highlights that the agricultural sector in Scotland experiences insufficient domestic workforce resulting in high dependency on migrant workers. It also shows the fluctuations in worker numbers, due to schemes and regulation for movement of labour at a UK-level and the economic context in home countries.

All stakeholders stated that seasonal migrant workers were in high demand within the agricultural sector in Scotland and the wider UK. As found in the evidence

review, the main reason for this demand was lack of availability of non-migrant seasonal workers. Indeed, at the time of this research, official statistics show:

- Record lows in unemployment rates in Scotland,³
- Lower unemployment rates in Scotland than for the rest of the UK,⁴
- More residents in rural Scotland are in work with employment rates higher than in the rest of Scotland.⁵

Interviews highlighted how demand, or even dependency, on seasonal migrant workers applied to farms planting and harvesting the type of crops which could not be mechanically harvested. Indeed, most workers responding to the survey were employed in the fruit sector (81%).

Technological solutions cannot currently solve the labour shortage gap. In the meantime, the risk is that without the right amount of labour, at the right time, these types of farms become unviable in Scotland.

In their survey responses, employers of seasonal migrant workers reported serious negative consequences for their businesses should they not be able to access this type of labour. This included downscaling their business, focussing on non-agricultural activities, switching to other agricultural activities (for example, cereals or livestock) and ceasing current activity.

However, economic factors are not the only consideration in helping this part of the agricultural sector stay viable. Sourcing local food also has environmental and food security drivers.^{6 7}

6.2 Number and demographic qualities of agricultural seasonal migrant workers in Scotland

Modelling for this research gives a range of estimates for the amount of seasonal workers in Scottish agriculture in 2021. When including EU Settled status workers the preferred modelling technique derives an estimate of 6,570 seasonal migrant workers. There are a number of challenges involved in reaching a definitive figure.

Thomson et al. (2018) estimated 9,255 seasonal workers, mostly originating from the EU, were used on Scottish farms in 2017. The Scottish Agricultural June Census estimates 8,003 seasonal and casual workers in 2021, and shows a downward trend in numbers in 2020 and 2021. Accounts by National Farmers Union Scotland (NFUS) confirm the downward trend in 2021 in migrant numbers shown in the Scottish Agricultural June Census. Based on information collected

³ [LFS: ILO unemployment rate: Scotland: All: %: SA - Office for National Statistics \(ons.gov.uk\)](#)

⁴ [LFS: ILO unemployment rate: Scotland: All: %: SA - Office for National Statistics \(ons.gov.uk\)](#)

⁵ [Rural Scotland Key Facts 2021 - gov.scot \(www.gov.scot\)](#)

⁶ [Climate Change Plan 2018-2032 - update: strategic environmental assessment - draft - gov.scot \(www.gov.scot\)](#)

⁷ [Safeguarding food security - gov.scot \(www.gov.scot\)](#)

during the Coronavirus (COVID-19) pandemic for public health reasons, in 2021 the Scottish Government's Science and Advice For Scottish Agriculture (SASA) division compiled an unpublished estimate of between 7,500-9,000 Seasonal Farm Migrant Workers in Scottish Agriculture workers during any one season.

Without comprehensive data that is collected the same way each year, Scottish Government cannot establish trends and connect world events or UK migration schemes to any change in numbers.

Previous studies focus on shifts in demographics, especially country of origin of workers. Large proportions of workers responding to the Worker Survey in this research were from Romania, Bulgaria and Ukraine (21%, 18% and 17% of survey respondents). Participant ages ranged from 18 to 62, with an average age of 33 years.

Most workers were men, however there was a high prevalence of female migrant workers (42% survey respondents). The pen portraits highlight the lived experience of three female seasonal migrant agricultural workers. Literature confirms that numbers are hard to establish.

6.3 Experiences of employers in the sector

The evidence review highlighted the fluctuations in migrant workers due to schemes and regulation for movement of labour at a UK-level and the economic context in home countries.

Stakeholders interviewed explained that there were both benefits and disadvantages to labour recruitment through agencies. Benefits, in the view of employers, were ease and recruitment agencies working well with them where they had an established relationship. Negatives included less direct interaction with workers than recruiting directly. All those interviewed, including employers and recruitment agencies, called for more notice on any restrictions and quotas.

Studies in this area highlight that recruitment has UK-based and home-country based dimensions. These involve various agencies beyond the employer and the worker themselves. In essence, there is a whole network of interested parties in recruiting and retaining migrant work. The relationship between farms (as employers) and workers is not the only relationship of importance.

Studies explain that recruitment is complicated by the seasonal nature of the work, for example weather dependency. It is also impacted by competition for labour with other sectors (outwith agriculture) and other countries (outwith Scotland).

In summary, employers are dealing day to day with managing their farms, their crops and their resources in order to fulfil orders. Labour restrictions represent a significant risk to this sub-set of the agricultural sector.

6.4 Experiences of agricultural seasonal migrant workers

The evidence review highlighted wider concerns about the exploitation of seasonal migrant workers in the UK. At the same time there was little primary research with agricultural seasonal migrant workers in Scotland. Within this research project, stakeholders reflected that managing volatility day to day had implications for workers. On one hand, they may be needed to work overtime and could earn extra through productivity, or alternatively not have tasks to deliver and not find the opportunity to top up the minimum pay. This was seen to affect satisfaction with their experience working in Scottish agriculture.

Primary research with workers provided key details on their tasks, hours, pay and accommodation.

Tasks depend on whether they are a returnee:

- Those in Scotland for their first year carried out a different range of tasks compared to those with any previous experience.

Hours vary:

- The worker survey found that respondents worked for an average of 43 hours working in a typical week.
- Just over half (53%) of seasonal migrant workers were happy with the number of hours they work whilst 46% would prefer more hours.
- Stakeholders explained that due to weather and supply chain factors, the actual volume of work could be hard to predict and subject to change. Employers confirmed that matching labour need to labour availability on-site was a continuous challenge for farms.
- These findings point to the potential benefits of providing options for labour sharing across farms, for example for those workers who wish to work more hours.

Pay amount and coverage varies:

- For employers of seasonal migrant workers, the survey found pay ranged from £8.91 to £13.75 per hour.
- Workers reported they were paid on average £10.22 per hour.
- However, looking at the pay itself does not provide the full picture. The worker survey found accommodation was usually provided by employers, and accommodation provision costs tended to be deducted from pay.
- On average, seasonal migrant workers paid £62 per week for their accommodation, although costs ranged from £30 to £300.

Workers shared their reasons for coming to work in agriculture in Scotland. They reported the most positive/beneficial aspect of working in Scottish agriculture was the ability to earn a good income.

Challenges with language were reported by workers, and for context the Seasonal Workers Programme is one of the few visas that does not have minimum English language requirements.

6.5 Long-term prospects and viability of the industry

Literature highlights that the recruitment of seasonal migrant workers has both UK-based and home country-based dimensions. These involve various agencies beyond the employer and the worker themselves.

As outlined above, recruitment is complicated by the seasonal nature of the work, for example weather dependency. The task is also subject to competition for labour with other sectors (outwith agriculture) and other countries (outwith Scotland).

Two out of five respondents to the worker survey had found their employer through a friend or family member. Less than a fifth saw an advertisement/social media/website to find their current employer. This indicates the importance of word of mouth and recommendations from trusted individuals.

Around half of workers completing the survey were returnees (53%) and around half (47%) were non-returnees. Returnees had most commonly worked previously in Scottish agriculture for around three to five years.

Employers seek repeat workers coming back year on year where possible. They are familiar with the set-up of the farm and their working conditions. As shown above, ensuring a positive experience is important to attract returnees, and to recruit further workers through their trusted networks of friends and family.

Stakeholders emphasised how they valued seasonal migrant workers as people who were conducting physically demanding tasks, away from their home country and friends and family, and often without strong levels of English language.

Farmers touched upon their responsibility as employers for not only pay and work, but workers' living conditions and their well-being. Measures such as inspections, audits, and the competition for labour were seen to have led to improvements. The industry depends a great deal on returners, and on word of mouth and recommendations from trusted individuals. Therefore, the standard of accommodation is critical to maintaining an adequate supply to seasonal workers.

From primary research with workers, these areas for improvement stood out:

- Accommodation and its costs (as 13% were unsatisfied with their accommodation and 15% with its cost). For nine out of ten workers, accommodation was arranged by their employer.
- Awareness and support for workers experiencing debt (as 50% of workers had come to Scotland based on borrowing loans or credit).
- Further support for language barriers (as 31% experienced these).

- Any support with enabling regular communication with friends and family in their home country (as 62% placed this as the biggest challenge of working in Scotland).

The qualitative information from this research project supported efforts to apply the Fair work dimensions to seasonal migrant agricultural work.⁸ Fulfilling these dimensions for as many workers as possible could help Scottish agriculture differentiate itself from other types of employment, and agricultural employers in the rest of the UK (see table 6.1).

Table 6.1: Fair work dimensions and their implications for long-term prospects

Dimension	Explanation	Implications
Opportunities	Fair Work to be available to everyone	Fair Work applies to seasonal and/ or migrant workers. Fair Work should be at the forefront of practices of UK-based recruitment agencies supplying labour to Scotland. Fair Work should, as far as possible, feature in the recruitment practices to source labour in home countries.
Security	Security of income	<p>Income is a key motivation for leaving home countries and a key motivation for working in Scotland in the agricultural sector. Income levels are important to satisfaction with working in Scotland. Deductions, such as for accommodation, can affect take home wages. Therefore, recruitment agencies and farms should be as clear as possible on wages and what is including and not including for living costs.</p> <p>Many seasonal migrant workers arrive in debt and therefore will have to build up this sense of security as they work and earn. All parties involved, from the governments setting migration policy, to the employers should be considerate of insecurity of income experienced by workers, certainly on their arrival.</p> <p>Pay levels set by the Scottish Agricultural Wages Board are crucial.⁹ Third sector support should be considerate of the pressures on workers due to insecurity of income.</p>

⁸ [The Fair Work Framework - The Fair Work Convention](#)

⁹ [Scottish Agricultural Wages Board - gov.scot \(www.gov.scot\)](#)

Dimension	Explanation	Implications
Effective voice	Having a say at work	<p>Multiple-language provision is key for information on working and living conditions and contracts. The UK Government may wish to consider whether any scheme for agricultural migrant workers should include minimum English language requirements. Employers should continue to find ways to welcome suggestions from workers (in their own language) and make improvements where possible.</p> <p>More targeted and quality recruitment in fewer number of countries may minimise some of the difficulty in communication barriers on the farm. Third sector support or paid for services may be necessary to make this possible for all nationalities and English language levels of people coming to Scotland. This would rather be than relying on workers to translate for other workers.</p>
Fulfilment	Supportive workplace relationship	<p>Wider provision by employers for workers such as access to local services, spaces and places to socialise and eat are all important to driving satisfaction. Although the wider literature calls for more integration of the migrant workforce into communities, it should be noted that agricultural seasonal migrant workers are usually based on farm, always in rural and sometimes in remote areas. As such the supportive workplace relationships are crucial to a positive experience of living and working in Scotland.</p>
Respect	Dignified treatment	<p>Further promotion of support available to agricultural seasonal migrant workers is the responsibility of any organisation interacting with these workers.¹⁰ Employers have responsibility to treat their workers with dignity. Likely if workers do not feel they receive this they will not return to the farm or the sector.</p>

¹⁰ For example [RSABI: Home Page](#)

6.6 Recommendations

This report recommends continued joint efforts between private, public and third sector stakeholders to further improve the experience of workers in line with Fair Work dimensions. In addition, recommendations for specific organisations are outline below.

UK Government should:

- Consider the Scottish agricultural sector in future policy making.
- Ensure sufficient notice is given of any changes to visa schemes which apply to Scotland. This should be given by December the preceding year.
- Closely involve Scottish agriculture, and its representatives, in shaping future schemes. This will ensure that measures put in place are informed by an evidence and experience based. Evidence suggests that there are potential benefits of providing options for labour sharing across farms.
- Communicate any restrictions due to schemes for each year to employers, intermediaries and workers. This will help lead in time and mitigate risks to businesses.
- Consider whether any scheme for agricultural migrant workers should include minimum English language requirements.

Scottish Government should:

- Gain key data year on year directly from farms on numbers of seasonal migrant workers. This data could, with data sharing agreements in place, be cross-referenced with statistics on labour distribution by recruitment agencies.
- Promote existing support and clarify that the support available to agricultural seasonal migrant workers is the responsibility of any organisation interacting with these workers.¹¹
- Scottish Government should consider how the “tolerable standard” regulations could be applied to temporary accommodation and who would be best placed to do the inspections. The tolerable standard is detailed in the [Housing \(Scotland\) Act 1987](#). The Act lists the criteria that a dwelling house must satisfy in order to meet the tolerable standard. The tolerable standard is a minimum standard and applies to all residential dwellings including social and privately rented homes and owner-occupied properties, but currently not temporary accommodation. The local authority can take action where a house does not meet this standard. Employers pointed out that on-site accommodation for workers is currently regulated, with checks regularly undertaken by labour providers and even by large buyers of produce to establish if they deem it as of sufficient standard. However, there is currently no regulated reasonable standard as defined by Scottish Government or checked by a public body or regulator.

¹¹ For example [RSABI: Home Page](#)

Appendix A: Stakeholder Discussion Guide Summary

Set up

- Confirming research details with participant

Introductions and opening

- Definition of seasonal migrant workers

Sourcing seasonal migrant workers

- Asked about access to seasonal labour:
 - Importance
 - Constraints
 - Main ways of recruiting
- Feedback on Seasonal Workers Pilot/ Programme
- Experience of labour providers and local agents
- Patterns in labour they have observed
- Their views on relative attractiveness of Scotland as a destination for workers

Working practices

- Reflections on wage levels, provisions for workers and fair work principles being adopted
- Employers asked for more detail on:
 - Teams of workers and tasks
 - Pay and other provision for workers
- Procedures for complaints, ethical treatment and improving working conditions

Conclusions

- Recommendations on how to positively engage with industry and sustainable solutions to the seasonal workforce in Scottish agriculture

Appendix B: Employer Survey

Firstly, we ask you some questions on your agricultural business

Q1. What is your main role in the business?

[single code]

- Owner / Partner
- Manager / Supervisor
- Other (please specify)

Q2. If you have crops, please tell us about your land use in hectares

[numeric box for each category]

- Cereals, oilseed and protein crops
- Potatoes
- Stockfeed
- Vegetables for human consumption
- Fruit grown in the open
- Nursery stock grown in the open
- Glasshouses or walk-in cover
- Fallow land, Grass, Woodland and other land
- Other crops not listed above

Q3. If you have livestock, please provide us with numbers for these different categories

[numeric box for each category]

- Pigs
- Sheep
- Poultry
- Other livestock

Q4. Area of land you own (hectares)

[numeric box]

Q5. Area of land you rent on a full tenancy (hectares)

[numeric box]

About your workforce

Next, we ask you questions about your overall workforce

Q6. Please enter the 3 digits of the Parish Code of your main agricultural holding.

[numeric box]

Q7. Did you experience any labour shortages in 2021?

- Overall numbers of workers
- Unskilled labour
- Skilled labour

Scale: Yes, No, DK, n/a

Q8. In 2021, what categories of workforce were working in the agricultural business? (Please select all that apply)

- Full-time regular staff
- Part-time regular staff
- Casual and seasonal staff
- None of the above

Q9. Approximately how many in 2021?

[numeric box for each category]

- Full-time regular staff
- Part-time regular staff
- Casual and seasonal staff

Q10. Please tell us the typical hours worked per week by each of these groups:

[numeric box for each category]

- Full-time regular staff
- Part-time regular staff

- Casual and seasonal staff

Q11. Did your casual and seasonal workforce in 2021 include seasonal migrant workers? (Please select all that apply)

- Yes, EU settled status,
- Yes, Seasonal Workers Pilot (SWP)
- Yes, other migrant workers from outside UK and EU,
- No, UK only,
- Don't know,
- N/A – No seasonal and casual workforce

Q12. As part of the Seasonal Workers Pilot which agencies provided you with workers in 2021? (please select all that apply)

[multi-select]

- AG Recruitment and Management Ltd
- Concordia Ltd
- Fruitful Jobs
- Pro-Force Ltd
- Don't know
- N/a

Q13. From your total number of casual and seasonal workers, please let us know approximately what proportion (%) were from these categories. Please note these should add to 100.

[numeric box for each category]

- UK seasonal workers,
- EU settled status
- Seasonal Workers Pilot (SWP)
- Other seasonal migrant workers,
- Don't know

Q14. For seasonal migrant workers in 2021, please estimate the proportion (%). Please note proportions should add to 100.

- Directly recruited
- Recruited by labour providers, including Machinery Ring, Gangmasters
- Don't know

Q15. Please indicate whether seasonal workers in 2021 came from these countries of origin (please select all that apply)

[multi-select]

- Scotland,
- Rest of UK,
- Barbados,
- Belarus,
- Bulgaria,
- Czechia/Czech republic,
- France,
- Hungary,
- Moldova,
- Netherlands,
- Latvia,
- Lithuania,
- Kazakhstan,
- Romania,
- Russian Federation,
- Slovakia,
- Ukraine,
- Uzbekistan,
- Don't know,
- Other (please specify)

Q16. The approximate total number of seasonal migrant workers each month in 2021

[numeric box for each category]

- Jan,
- Feb,
- Mar,
- Apr,
- May,
- Jun,
- Jul,
- Aug,
- Sep,
- Oct,
- Nov,
- Dec

Q17. Do you provide accommodation for any seasonal migrant workers?

- Yes, all seasonal migrant workers
- Yes, 50% or higher
- Yes, under 50%
- No

Q18. What hourly rates did you pay seasonal migrant workers in 2021? (£)

[numeric box for each category]

- Typical rate
- Lowest rate
- Highest rate

Q19. How do the following relate to the pay of seasonal migrant workers?

- Any work permits
- Accommodation
- Accommodation inspections
- Food
- Laundry
- Gas/ electricity
- Wi-Fi
- Travel to nearest town/ village
- Travel to/ from airport

Scale: We deducted from their pay, we cover these costs in addition to their pay, not applicable, don't know

Q20. If your agricultural business did not have access to seasonal migrant labour in Scotland, what is the likelihood of the following occurring in relation to your business?

- Maintain existing business structure,
- Downscale business
- Cease current activity
- Relocate overseas
- Relocate within the UK
- Automate production
- Increase local recruitment
- Increase wages to attract staff,
- Increase internal skills development
- Switch to other agricultural activities (e.g. cereals / livestock)
- Focus on non-agricultural activities

Scale: Definitely will not happen, Probably will not happen, Probably will happen, Definitely will happen, Don't Know

Q21. What is your view of the UK compared to other European countries for each of these aspects for seasonal migrant workers:

- Ease to obtain working permits or visas
- Costs to obtain working permits or visas
- Wages
- Standard of working conditions
- Flexibility to change employer
- Standard of living conditions
- Pastoral care
- Facilities for workers
- Length of typical working day
- Length of typical working week
- Use of modern/ innovative technology in farming
- Positivity by general population towards migrant workers
- Work place language provision for non-native speakers

Scale: Relatively high, average, relatively low, DK

Appendix C: Workers Survey

This is a survey asking questions about working in agriculture in Scotland.

Diffley Partnership have been commissioned by the Scottish Government to conduct this research. We would like to hear your views as a seasonal migrant worker. The survey should take you about 15 minutes to complete. No reporting to Scottish Government will include any information which could identify you.

Please see our privacy notice for more details of what information we ask for and why.

About You

Q1. Please select your home country:

- Scotland
- The rest of the UK
- Barbados
- Bulgaria
- Czechia
- France
- Hungary
- Latvia
- Lithuania
- Kazakhstan
- Moldova (the Republic of)
- Netherlands (the)
- Poland
- Romania
- Slovakia
- Spain
- Turkmenistan
- Ukraine

- Uzbekistan
- Other (Please specify:_____)

Q2. Which visa scheme are you using in Scotland?

- I do not have a visa,
- I have EU settled status,
- I have EU pre-settled status,
- Student visa with work option,
- Homes for Ukraine scheme (including the Scottish Government Super Sponsor Route)
- Ukraine Extension Scheme,
- Ukraine Family Scheme,
- Seasonal Workers Programme,
- Other (Please specify:_____)

Q3. What is your sex?

- Female
- Male
- Prefer not to say

Q4. What age did you turn on your last birthday?

[numeric box]

Q5. How would you describe the level of your English-speaking ability?

- Beginner
- Intermediate
- Advanced
- Native Speaker

Q6. What is your ethnic group? Choose one section which best describes your ethnic group or background

- White – Scottish

- White – Other British
- White – Irish
- White – Polish
- White – Gypsy / Traveller
- White – Roma
- White – Showman / Showwoman
- White – Other
- Mixed or multiple ethnic groups
- Asian, Scottish Asian or British Asian - Pakistani, Scottish Pakistani or British Pakistani
- Asian, Scottish Asian or British Asian - Indian, Scottish Indian or British Indian
- Asian, Scottish Asian or British Asian - Bangladeshi, Scottish Bangladeshi or British Bangladeshi
- Asian, Scottish Asian or British Asian - Chinese, Scottish Chinese or British Chinese
- Asian, Scottish Asian or British Asian - Other, please write in
- African, Scottish African or British African
- Caribbean or Black
- Other ethnic group - Arab, Scottish Arab or British Arab
- Other, please write in:

Q7. Are your day-to-day activities limited because of a health problem or disability which has lasted, or is expected to last, at least 12 months? This also includes problems related to old age

- Yes, limited a lot
- Yes, limited a little
- No

About your background in agricultural work

Q8. For how many years have you done the following?

(Please select one answer per row)

- This is my first year
- 1-2 years
- 3-5 years
- 6-10 years
- 11-15 years
- 15+ years
- Not applicable
- Worked in agriculture in any country
- Worked in Scotland in agricultural work
- Worked in Scotland in non-agricultural work
- Worked for my current agricultural employer in Scotland

Finding your current agricultural work in Scotland

Q9. How did you find your current employment?

(Please select all that apply)

- I worked for this business previously (returning employee)
- Suggested by an existing / former employee
- Friend or family member
- Through a different business I worked for previously
- Recruitment company in my own country
- Scottish / UK recruitment company
- Advertisement / Social media / website
- Other (Please specify)

Q10. Did you have to pay a recruitment fee to get seasonal work in the UK this season?

(Please select one answer)

- Yes

- No

Q11. How did you fund your travel to the UK/ Scotland?

(Please select all that apply)

- Savings
- Credit card
- Borrowed from family / friends
- Bank loan
- Private loan
- Other (Please specify)

Q12. What are the main reasons you came to work in Scotland? Please rank in order of importance where 1 is most important and 5 is least important.

- Higher rate of pay/income levels than in my home country
- Better working conditions (hours worked, type of work etc.) than in my home country
- Previous positive experience of working in Scotland
- To join friends and/or family members working here
- To learn or improve my English

Your current agricultural work in Scotland

Q13. Which sector of agriculture is your current job?

(Please select all that apply)

- Fruit
- Vegetables
- Potatoes
- Pig farming
- Dairy
- Other (Please specify)

Q14. In your current job, which of the following activities do you carry out?

(Please select all that apply)

- Supervising other workers
- Planting
- Caring for growing plants
- General maintenance
- Processing or packaging farm products
- Grading fruit, vegetables or potatoes
- Milking
- Livestock husbandry

Q15. In your current job, how many hours per week do you work in a typical week?

(numeric box)

Q16. Please indicate which of the following statements you most agree with:

(Please select one answer)

- I would prefer to work more hours than I currently work
- I would prefer to work fewer hours than I currently work
- I am happy with the number of hours I currently work

Q17. How satisfied are you with the working conditions on the farm you work on?

- Very satisfied
- Satisfied
- Dissatisfied
- Very dissatisfied

Q18. What is your current hourly rate of pay? (Please enter cost in pounds)

(numeric box)

Q19. Please tell us how these costs are mostly covered? (Please select one answer for each cost)

- I pay
- My employer provides and takes off my salary

- My employer provides in addition to my salary

- Accommodation
- Power costs
- Food costs
- Transport between my accommodation and work
- Your current accommodation

Q20. What type of accommodation do you currently stay in? (Please select one answer)

- Housing on the farm where I work
- Caravan on the farm where I work
- Private rental housing
- Homes for Ukraine scheme host
- Other (Please specify)

Q21. Were the arrangements for accommodation made before you came to Scotland? (Please select one answer)

- Yes
- No
- Don't Know

Q22. Who arranged your accommodation? (Please select one answer)

- Myself
- Friends or family
- My employer
- Recruitment agency
- Homes for Ukraine scheme
- Other (Please specify)

Q23. What is the cost per week of your accommodation?

(numeric box)

Q24. How satisfied are you with this accommodation?

- Very satisfied
- Satisfied
- Dissatisfied
- Very dissatisfied

Your experience of agricultural work in Scotland

Q25. During your time working in seasonal agricultural work in Scotland have you experienced any of the following challenges? Please select all that apply.

- Language barriers
- Delay in receiving wages
- Difficulty taking time off for holidays or illness
- Insufficient free time
- High workload / fatigue
- Discrimination or verbal abuse
- Costs of accommodation
- Travelling distance to work or transport availability
- Isolation and distance to urban centres
- Missing my family or friends
- Other (Please specify)

Q26. What are the most positive aspects during your time doing seasonal agricultural work in Scotland? (Please rank each answer from 1 to 7, where 1 is most important and 7 is least important to you)

- 1 – Most important
- 2
- 3
- 4 – Neither most nor least important

- 5
- 6
- 7 – Least important
- Ability to earn a good income
- Being able to send money home to family/friends
- Developing opportunities to acquire more permanent employment here
- Making friends with my co-workers
- Socialising and engaging with local/Scottish people
- Experiencing Scotland as a country and Scottish culture
- Ability to learn/improve my English

Your future plans

Q27. Which of the following best represents your view on whether you will return to Scotland for future seasonal agricultural work?

- Highly likely
- Likely
- Neither likely nor unlikely
- Unlikely
- Highly unlikely

Q28. If you do not plan to return, please tell us why. Please select all that apply.

- Bad experience
- Permanent job arranged
- Wage Rate
- Exchange rate
- Ease of future access to UK
- Cost of living
- Flight costs
- Potential visa costs

- Accommodation standards
- Other (Please specify)

Q29. What's been positive, if anything, about your experience of working in Scottish agriculture?

[Text Box]

Q30. What's been negative, if anything, about your experience of working in Scottish agriculture?

[Text Box]

Q31. Would you come back to work in agriculture in Scotland again? Why/ why not?

[Text Box]

Q32. Would you have further comments to make on the following? Please select all that apply.

- Finding agricultural work in Scotland
- Your working conditions
- Your accommodation
- Your pay and expenses
- Your experience of agricultural work in Scotland compared to other countries
- Other (Please specify)

Q33. Would you like to take part in a follow-up interview about this topic?

This would be arranged with you within a few months and take up to one hour of your time. We would arrange to conduct over the phone, the internet or in person. We would arrange a translator if you would like questions asked to you in a language other than English. As a thank you for your participation we would gift you a £20 Love2Shop e-voucher.

- Yes, I am interested in taking part in an interview
- No, I am not interested in taking part in an interview

Name:

Email address:

Appendix D: Workers Discussion Guide

Summary

Set Up

- Confirming research details with participant.

Experience of Local Agents, Labour Providers and Recruiters

- How they came to work in Scottish agriculture this year and first year (if returnee).
- Ease of arrangements, concerns and costs

Work

- Expectations of tasks, pay, hours, working and living conditions
- Reality of tasks, pay, hours, working and living conditions
- Accuracy of information received
- Degree of comfort with making suggestions and complaints to employer.

Provision

- Accommodation, transport, food

Overall experience and comparisons

- Positives and negatives of experience
- Comparisons with working at home, rest of UK, other sectors
- Intention to return and reasoning.

Conclusions

- Any further points to raise
- Confirming incentive payment arrangements.

Appendix E: Privacy Notices

Employers

The Diffley Partnership, in collaboration with the Fraser of Allander Institute and the University of Aberdeen, are undertaking research on the provision of farm workers in Scottish agriculture. This research is important in the context of the Scottish Government supported FLEX report, exploring the topics of exploitation and trafficking within the agricultural sector, highlighting the particular vulnerability of migrant workers in this field to maltreatment. Moreover, EU Exit and the Covid-19 pandemic have impacted migrant labour within Scotland.

A mixed methods approach, comprising both qualitative and quantitative methods has been designed around the seasonality of this workforce. Together, this study will engage with a range of audiences namely employers, employees and industry stakeholders.

A core objective of the overall research is to attain an updated estimate of the agricultural seasonal migrant worker population in Scotland, previously estimated at 9,255 in 2017. The derivation of an accurate estimate will involve economic modelling skills of the Fraser of Allander Institute.

Diffley Partnership is leading on the design, conducting and analysis of stakeholder interviews, employer surveys, worker surveys and worker interviews.

This privacy notice explains why the contracted independent team are asking for personal information from you, how this information will be used and how it will be protected. It also sets out your rights.

Why is this information being collected and what will it be used for?

Your information is being collected in relation to research into the Provision of Farm Workers in Scottish Agriculture.

You are being asked personal details by Diffley Partnership to ensure that a cross-section of agricultural businesses within Scotland are included in survey responses.

You are being asked personal details by Diffley Partnership in relation to the arrangement of follow up interview with yourself taking place February-March 2022. Providing the information is optional.

You are being asked personal details by Diffley Partnership in relation to the arrangement of your promotion of the workers survey to seasonal migrant workers at your farm during the 2022 season. Providing the information is optional.

Personal data can be collected and used in this way under the terms of data protection legislation in the UK, those of Articles 6(1)(e) and 9(2)(g) of the General Data Protection Regulation (GDPR) and the Data Protection Act (2018).

What information is being collected?

As this survey is administered through the online platform Survey Monkey. Through completing this survey, we are provided with:

- Your IP address- which will be deleted as soon as we download the data from the software

The personal information you are being asked to provide in this survey is:

- Your parish reference- which could be used to identify your farm location

In the final section of this survey, we ask for personal details, which you have the choice to complete:

- Your name
- Your company name
- Your company address
- Your email address
- Your phone number

These relate to your willingness to be contacted in relation to other parts of this project:

- Follow up interviews with employers such as yourself
- A survey for seasonal migrant workers

Who will have access to my personal information?

Only named individuals within the Diffley Partnership who are directly involved in the project will have access to this information. Your information will not be given to Scottish Government.

How will your information be kept secure?

Your information will be stored securely by Diffley Partnership.

Full details of our Privacy Policy can be found on our website

<https://www.diffleypartnership.co.uk/privacy-policy/>

How long will it be kept for?

All digital files containing personal information will be deleted by the Diffley Partnership once the research project has been concluded, and contract finished on 29th August 2022.

What are your rights?

As set out in data protection legislation, you have the following rights:

1. The right to be informed of the collection, use, sharing and retention of your personal data.
2. The right of access to your personal information.
3. The right to have inaccurate personal information rectified or completed if it is incomplete.
4. The right to have your personal information erased in certain circumstances.
5. The right to restrict processing or the use of your personal information in certain circumstances.
6. The right to data portability i.e. to obtain and re-use your personal data for your own purposes.
7. The right to object to the processing or use of your personal information in certain circumstances.
8. Rights in relation to automated decision making and profiling.

How to contact us

If you want to know what information Diffley Partnership holds about you or to exercise any of the rights set out above, you can contact Diffley Partnership at:

Email: info@diffleypartnership.co.uk

What if I have concerns?

If you have concerns about how your personal data has been used, you can contact the Scottish Government's Data Protection Officer:

Stuart Gardener
Victoria Quay
Edinburgh
EH6 6QQ
Email: DataProtectionOfficer@gov.scot

If you feel Scottish Government has not resolved your information rights concern, you have the right to lodge a complaint with the Information Commissioner's Office (ICO), The ICO is the supervisory authority responsible for data protection in the UK.

For further information, including independent data protection advice and information in relation to your rights, you can contact the information Commissioner at:

The Information Commissioner
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF
Tel: 08456 30 60 60
Website: www.ico.org.uk

You can also report any concerns here: <https://ico.org.uk/make-a-complaint/>

Workers- English version

The Diffley Partnership is working with the Fraser of Allander Institute within the University of Strathclyde and the University of Aberdeen. Together, we are carrying out research about farm workers in Scottish agriculture. This research is important in helping Scottish Government understand labour, work, and employment in Scottish agriculture. For example, working conditions and how the European Union Exit and the Covid-19 pandemic have affected migrant labour within Scotland.

The University of Aberdeen have conducted desk research, where information that is already available is looked at and summarised.

Scottish Government have asked us to calculate an updated estimate of the agricultural seasonal migrant worker population in Scotland - this was estimated to be 9,255 in 2017. Fraser of Allander Institute are helping us to make calculations and work out trends and patterns.

Diffley Partnership have been collecting more information through questionnaires and interviews. We are connecting with workers, employers and industry stakeholders, to hear their views.

This privacy notice is about the questionnaire for agricultural migrant workers to complete. This survey is available to complete in different languages- Bulgarian, English, Polish, Romanian, Russian, Ukrainian.

This privacy notice explains why Diffley Partnership are asking for personal information from you, how this information will be used and how it will be protected. It also sets out your rights.

Why is this information being collected and what will it be used for?

Your information is being collected as part of research into the Provision of Farm Workers in Scottish Agriculture.

You are being asked personal details by Diffley Partnership for three reasons:

1. To help us see whether we are including a variety of agricultural workers with different demographic characteristics are included in this research.
2. For you to have a chance to be sent one of two £200 Love2Shop e-vouchers, if you complete the survey and opt into taking part in this random draw.
3. To help us recruit for the next part of our research with agricultural migrant workers. If you are interested in taking part in an interview to discuss this topic further with our researchers, you can confirm your name and email address.

Personal data can be collected and used in this way under the terms of data protection legislation in the UK, those of Articles 6(1)(e) and 9(2)(g) of the General Data Protection Regulation (GDPR) and the Data Protection Act (2018).

What information is being collected?

Diffley Partnership will not share any information which could identify you with Scottish Government, Fraser of Allander Institute, University of Aberdeen or our language translators.

Our survey uses the online platform Survey Monkey. Through completing this survey we are provided with:

- Your IP address- which will be deleted as soon as we download the data from the software

The personal information you are being asked to provide in this survey is:

- Your gender
- Your age
- Your ethnic group or background
- Whether you have a disability or health problem

We are holding a draw for people completing the survey for two people to be selected at random to receive a £200 Love2Shop e-voucher. Providing personal information for this section is optional:

- Your email address

In the final section of the questionnaire, we ask whether you would be interesting in taking part in a follow-up interview during Spring/Summer 2022. Providing personal information for this section is optional:

- Your name
- Confirming your email address

This will show us you are interested in taking part. We would be in touch to share details with you, including how and when this can take place to suit you. If you are selected and confirm to take part in an interview we would arrange a Love2Shop e-voucher to thank you for your additional time.

Who will have access to my personal information?

Only members of staff within the Diffley Partnership directly involved in the project will have access to this information. Your information will not be given to Scottish Government.

If you are randomly selected to be transferred a £200 Love2Shop e-gift voucher our team will request that Love2Shop send you the voucher to the email address you provide. We would let you know if you are randomly selected and confirm details with you.

How will your information be kept secure?

Your information will be stored securely by Diffley Partnership.

Full details of our Privacy Policy can be found on our website

<https://www.diffleypartnership.co.uk/privacy-policy/>

How long will it be kept for?

All digital files containing personal information will be deleted by the Diffley Partnership. This is done by our members of staff once the research project has been concluded, and the contract finishes, in September 2022.

What are your rights?

As set out in data protection legislation, you have the following rights:

1. The right to be informed of the collection, use, sharing and retention of your personal data.
2. The right of access to your personal information.
3. The right to have inaccurate personal information rectified or completed if it is incomplete.
4. The right to have your personal information erased in certain circumstances.
5. The right to restrict processing or the use of your personal information in certain circumstances.
6. The right to data portability- to obtain and re-use your personal data for your own purposes.
7. The right to object to the processing or use of your personal information in certain circumstances.
8. Rights in relation to automated decision making and profiling.

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If you want to know what information Diffley Partnership holds about you or to exercise any of the rights set out above, you can contact Diffley Partnership at:

Email: info@diffleypartnership.co.uk

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Stuart Gardener
Victoria Quay
Edinburgh
EH6 6QQ

Email: DataProtectionOfficer@gov.scot

If you feel Scottish Government has not resolved your information rights concern, you have the right to lodge a complaint with the Information Commissioner's Office (ICO), The ICO is the supervisory authority responsible for data protection in the UK.

For further information, including independent data protection advice and information in relation to your rights, you can contact the information Commissioner at:

The Information Commissioner

Wycliffe House

Water Lane

Wilmslow

Cheshire

SK9 5AF

Tel: 08456 30 60 60

Website: www.ico.org.uk

You can also report any concerns here: <https://ico.org.uk/make-a-complaint/>

Appendix F: Technical Annex

Ethical Considerations

The research team was prepared to handle any disclosure of illegal practices. This was to be handled in line with the latest Scottish Government's Trafficking and Exploitation Strategy. [Police Scotland](#) offers guidance to staff who are likely to encounter victims in the course of their work, this is a useful source.

From limited European-level research, there is evidence that migrant workers may under report crimes to the police. In research based on workers' perspectives ([European Union Agency for Fundamental Rights](#), 2019) more than half of the interviewees (57%) did not report their case to the police. The most common reason for not reporting it to the police (mentioned by a quarter of the interviewees) was being afraid or scared of, for example, losing their job, of being arrested and returned to their country of origin, or of generally getting into trouble. The second most frequent reason for not reporting to the police was a belief that 'the police would or could not help.' This European research emphasised the importance of support organisations in providing advice and information to workers, including reporting to appropriate public bodies.

Therefore, a document signposting resources such as websites and helplines was prepared for worker respondents.

Translation Plan

A translation plan was designed for this project to maximise responses of seasonal migrant worker. As agreed with Scottish Government, and based upon advice of the Research Advisory Group, the five languages were:

- Bulgarian
- Polish
- Romanian
- Russian
- Ukrainian

Evidence Review

The rapid evidence review drew on available information and data from the UK and the home-countries of seasonal migrant workers.

The evidence review looked at the following topics:

- the current landscape of agricultural seasonal migrant workers in Scotland,
- the legislative, regulatory and policy context in which the Scottish agricultural sector and its seasonal migrant workers sit (at a devolved, UK, and European level),

- the impacts of EU Exit on the above, and how it is expected to affect the workers and the industry in the long run,
- comparative examples in an international context,
- public perceptions of seasonal migrant workers (including for agriculture),
- insights on seasonal migrant workers, including demographics, families and transnational connections, economic and social mobility,
- prior research on their access to services and religious institutions, especially in rural areas,
- collation of intelligence and data from the Royal Scottish Agricultural Benevolent Institution (RSABI) and Scottish Government COVID-19 testing project of seasonal migrant workers,
- a review of economic data relating to the issue of migrant labour in Scotland.

Stakeholder Interviews

The discussion guides benefitted from review from the Research Advisory Group. Topics included:

- reflections on recruitment processes, wages, fair work principles, well-being and health of seasonal migrant agricultural workers,
- experience of COVID testing and regulations and EU Exit on the sector and its workers,
- views on how Scottish Government can positively engage with the industry to address concern and implement sustainable solutions,
- ideas for ways to put in a process for on-going data collection, monitoring and evaluation,
- views on incentivising high standards of working conditions,
- views on adding ethical treatment of workers to established recognition schemes,
- views on consumer behaviour and demand where relevant.

All interviews were fully transcribed and then coded in the qualitative software QDA Miner.

Employer Survey

The distribution sample was based on the Agricultural Census contact list and subject to a Data Sharing Agreement. For reasons of adhering to the data minimisation principle, Scottish Government released the distribution sample to Diffley Partnership as a third, then a second third and then a final third. Diffley Partnership monitored the achieved sample between these tranches. As such the survey was administered three times by Diffley Partnership until a sufficient sample was achieved. As such the survey was live for eight months from February to September 2022.

Members of the Research Advisory Group also supported the promotion of the survey to the sector. For example, a request went to the Horticultural Working Group and the survey was promoted within the National Farmers Union Scotland (NFUS). NFUS included an explanation and link within their e-newsletter; they also sent a survey link to the approximately 90 members on their database who employed seasonal migrant workers.

Analysis conducted included:

- Descriptive statistics, including frequencies, for the full sample (n=1089)
- Segmentation of the sub-sample who employed seasonal migrant workers in 2021 (n=38)
- Descriptive statistics, including frequencies, for the sub-sample (n=38)
- Analysis of text responses.

Worker Survey

The online worker survey was promoted in a number of different ways, including:

- News pieces and e-newsletters by RAG members
- Social media promotion by Scottish Government and stakeholders
- Sending posters to farms, charities and local business near farms. They included a QR code and the weblink to the survey and the privacy notice.
- Facebook and Twitter promotion, encouraging re-sharing by charities and businesses with which seasonal migrant workers may interact.

All of the promotional material was translated into the five languages agreed as part of the translation plan (see section 2.1).

Over the course of summer 2022 it was clear that the promotional attempts were not resulting in sufficient survey returns. Following discussions with sector stakeholders and employers, possible reasons included:

- Not all workers having access to Wi-Fi, data or smart phones.
- Multiple requests for seasonal migrant worker participation in research, audits and monitoring exercises by regulators and supermarkets.
- Cultural barriers, including distrust of government-backed exercises and data collection.

In order to address the low response rate and achieve as many high-quality responses as possible before the end of the 2022 season, Diffley Partnership proposed a change to the research approach to Drop and Collect. This necessitated:

- Approaching, liaising, and confirming farms to assist- taken from a combination of farms expressing willingness to help with further parts of the research in their employer survey and a list of the top 30 farms in terms of seasonal migrant worker employment provided by Scottish Government.

- Updating the survey to include three qualitative questions (Appendix C). This was to ensure the collection of qualitative information from workers prior to the end of the season.
- Printing surveys in sufficient volume for all languages.
- Printing signposting information, privacy notices for participants.
- Dropping off surveys at farms and the provision of tamper proof boxes with instructions for paper returns in all languages.
- Researcher picking up surveys from farms
- Manual data entry of paper surveys
- Manual scanning of text entry prior to translation
- Extra quality checking of paper survey responses
- An additional incentive per farm of a £50 Love2Shop voucher draw
- Provision of posters to each farm with the QR code and website in all languages, so that workers had another option to take part online.

Workers interviews

Professional interpretation and translation services were sub-contracted. These included:

- Translation of information for participants and privacy notice.
- Translation of initial approach email.
- Liaison with the workers in their own language to arrange an interview date and time within the working hours of the interpretation company and to suit the participant.
- Translation of the interview questions in advance to non-English language
- Translation of any clarification of details from participant to and back from research team member.
- During the interview posing the questions in non-English language
- Translation of responses back to English during the interview (this allows for researcher oversight and engagement).

Interviews were conducted as per the language preference of each participant. As a thank you for their time, participants were given the value of £20 by international bank transfer.

It was intended to interview twenty seasonal migrant workers of different ages and nationalities. Sampling achieved three participants (see table 2.2) resulting from:

- 21 Nov- 10 ideal sample and 15 replacements shared with the interpretation company- 7 invalid emails, 3 interviews were scheduled and 1 took place.
- 29 Nov- Additional 15 replacements shared with interpretation company- 3 invalid emails, 3 interview were scheduled and 2 took place.

- 7 Dec- Additional 42 replacements shared with interpretation company- 13 were invalid emails, 2 interviews were scheduled and 0 took place.

	count	Proportion (%)
Full sample	82	100
Invalid	23	28
Non-response	58	71
Scheduled	8	10
Achieved sample	3	4

Appendix G: Technical Note on Macroanalysis

This section describes the approaches taken by the Fraser of Allander Institute to model the number of seasonal migrant workers in Scottish agriculture in 2021.

Techniques employed by Zubairi et al. 2020 for non-agricultural seasonal and temporary migrant workers and Thomson et al. (2018a), alongside the wider experience of the Fraser of Allander Institute informed this modelling.

Approaches to modelling the number of seasonal migrant workers

Different approaches can be utilised to estimate the number of seasonal migrant workers. Approaches modelled all utilised data from the Employer Survey (Appendix B) and some utilised data from the Scottish Agricultural Census.

Table G.1 summarises the limitations of two of the approaches, a non-weighting approach and an econometric approach.

Table G.1: Rejected Approaches

	Assumptions and Description	Results and Robustness
Non-weighting	Assuming that the Employer Survey sample is representative of the whole population of farms, and Assuming that the proportion of total hours worked by seasonal migrant workers in our sample is the same in the wider population	This would suggest that on average – among all farms – 2.6% of all hours worked are worked by seasonal migrant workers. However, the size of core sample and non-response to variables in the Employer Survey limits confidence in this estimate.
Econometric	Econometric modelling utilising Scottish Government data on hectares of each crop and standard labour input requirements. This approach has been tried before in a similar analysis (Thomson et al. 2018). It uses regression modelling to estimate the relationship between crop type (measured in hectares) and	The estimates derived using this approach of the number of hours worked by Seasonal migrant workers across each method were very high, indeed implausibly so.

	<p>labour input (total and seasonal) using the Employer Survey.</p> <p>We arrive at an estimate of the average labour input (total and seasonal) per hectare of each crop (these being the regression coefficient on each crop hectare variable). We can use information on crop hectares (taken from the Scottish Agricultural Census) to establish a measure of labour input (total and seasonal).</p> $\begin{aligned} \text{Hours worked}_i &= \alpha + \beta_1 \text{Crop}_{1i} \\ &+ \beta_2 \text{Crop}_{2i} + \dots \\ &+ \beta_n \text{Crop}_{ni} + \beta_j \text{Controls}_{ji} \\ &+ \varepsilon_i \end{aligned}$ <p>Where there are n different crops specified in the regression, and j different control variables (in practice these are the number of different types of livestock on the farm). We estimate this model using both ordinary least squares (OLS) and non-negative least squares (NNLS) methods. The latter constrains the β coefficients above to be non-negative. NNLS was the approach taken by Thomson et al (2018), and as we will see the differences relative to using OLS are small in practice.</p>	<p>The estimates suggest anywhere between 13.7 million and 14.2 million hours were worked by Seasonal migrant workers. These were 5 – 10 times larger than the estimates derived from our final approach (see section below) and more than double the hours worked by casual and seasonal estimated in Table 2.4. This is likely an artefact of the very small and self-selected sample of farms using Seasonal migrant workers who responded to the Employer Survey.</p>
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Final approach to estimating the number of seasonal migrant workers

The final approach taken to estimate the number of seasonal migrant workers employed reweighting techniques to derive a range. In summary, reweighting consisted of:

1. Reweighting our estimate of the number of seasonal migrant workers using data on approximate total number of seasonal migrant workers each month (question 16 Appendix B) by the overall scale of casual and seasonal worker use in the Agricultural Census.
2. Reweighting our estimate of the number of seasonal migrant workers using data on approximately what proportion of casual and seasonal workers were Seasonal Workers Pilot or Other seasonal migrant workers (question 11 Appendix B) by the overall scale of casual and seasonal worker use in the Agricultural Census

The Scottish Agricultural Census puts the number of casual and seasonal staff in 2021 at 8,003 (Table G.2).

Table G.2: Simple estimate of total hours worked by category of worker

Data source	(a)	(b)	(c)	(d)
	Workers	Weeks worked	Hours per week	Total annual hours worked
Regular full-time staff total	13,386	48	46	29,826,150
Regular part-time staff total	7,712	48	21	7,673,008
Casual and seasonal staff	8,003	30	27	6,483,630
				43,982,788

Notes: Data in column (a) are taken from the 2021 Agricultural Census, column (b) reflects a modelling assumption, and data for column (c) are from the Employer Survey.

To give more detail on the first reweighting estimate:

- This suggests that Employer Survey respondents employed 4,908 casual and seasonal workers.
- Applying this weighting factor of (8003/4908) to our estimate of Seasonal migrant workers (1,798), derived from question 15 of the Employer Survey provides an estimate of 2,932 Seasonal migrant workers.
- This assumes that the ratio of seasonal migrant worker to casual seasonal workers in the Employer Survey is 'true' and produces an annual figure of 2,374,778 hours worked by seasonal migrant workers assuming that they work 30 weeks a year on average at 27 hours a week (as in Table G.2), which translate to 296,847 days. This assumes an eight hour day which is corroborated by the 8.6 hour a day working average from the later Worker Survey (see section 5.2).

To give more detail on the second reweighting estimate:

- Utilises question 12 of the Employer Survey. This asked respondents to specify approximately what proportion of their total number of casual and seasonal workers were from different categories, including the Seasonal Workers Pilot and other migrant workers from outside UK and EU.
- Taking these data on proportions and applying them to the number of casual and seasonal workers in the 40 businesses in the core sample provides an estimate of 2,742 seasonal migrant workers.
- Applying the same weighting to this figure as in Approach 2 provides an estimate of 4,471 Seasonal migrant workers.

Including 'EU Settled Status' in this calculation, we arrive at an estimate of 6,570 Seasonal migrant workers.

Seasonal migrant workers as part of the overall workforce and the casual and seasonal workforce

The first step in understanding seasonal migrant worker usage is to understand the scale of casual and seasonal staff employment, which includes both migrant and local workers. There are two ways to understand the presence of casual and seasonal staff. The first is using the Employer Survey question which asks respondents to indicate whether they employ casual and seasonal staff (question 8 Appendix B).

The second uses information from the question asking respondents about the number of staff they have across categories) including casual and seasonal staff (question 9 Appendix B). In theory, these should be aligned, but in practice, they are not perfectly so. There were 27 respondents who said they did not use casual and seasonal staff but said that they did employ more than one casual and seasonal staff in the subsequent question. The decision was taken to recode these as having casual and seasonal staff. This recode resulted in updated descriptive statistics on these two survey questions for the 193 completed responses from farms with casual and seasonal staff (19.7% of the Employer Survey sample).

Respondents with casual and seasonal staff, employed 4 to 5 on average. There was a large standard deviation reflecting the fact that some farms employ a small number of casual and seasonal workers while others employ a much larger number (up to 1,000).

Table G.3: Descriptive statistics on respondents' use of CSS

	Mean	Standard Deviation	Min	Max	Count
Q8: In 2021, what categories of workforce were working in the agricultural business? (Please select all that apply) [Full-time regular staff, Part-time regular staff, Casual and seasonal staff, None of the above]	0.197	0.398	0	1	1056
Q9: Approximately how many in 2021? [Casual and seasonal staff]	4.648	49.457	0	1000	1056

Next the Employer Survey was utilised to disaggregate the subset of seasonal migrant workers from the wider group of casual and seasonal workers (see question 11 Appendix B). There were 40 respondents with casual and seasonal workers and indicated they have seasonal migrant workers, and 153 with casual seasonal workers but not seasonal migrant workers. These 40 respondents with seasonal migrant workers were therefore the core sample of seasonal migrant worker employers for this macroanalysis. Note that this core sample represents under 4% of the overall sample and just over 20% of employers that employ a seasonal and casual workforce.

Volume of work conducted by seasonal migrant workers

Ascertaining the volume of work can be estimated through the number of workers and the number of hours worked.

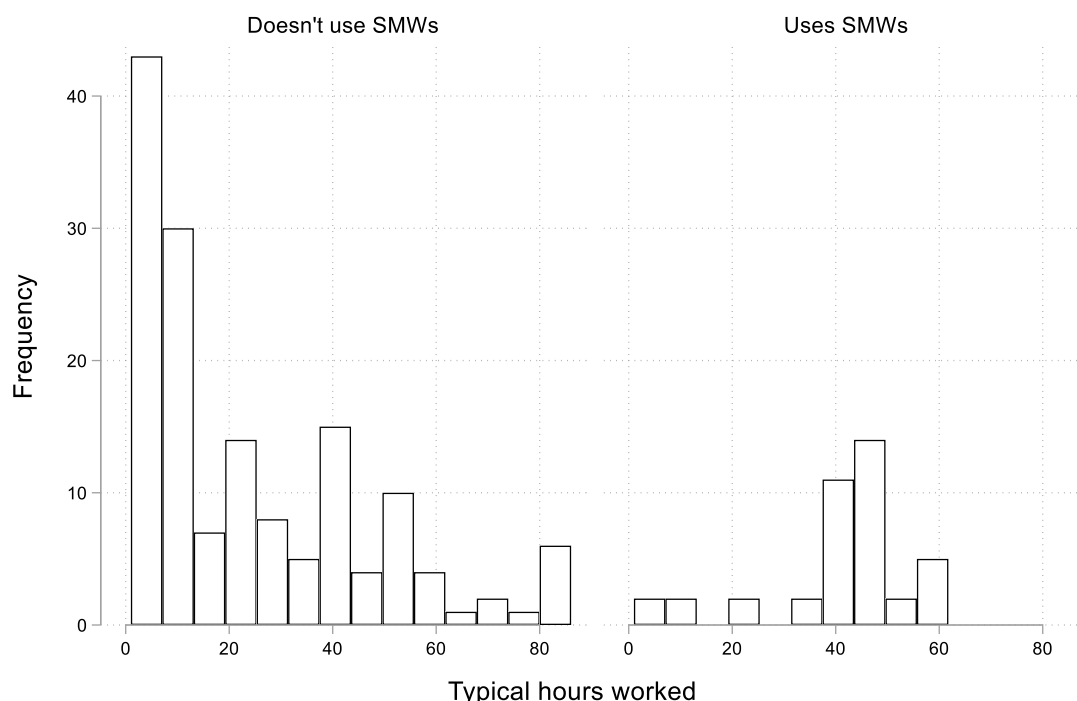
The Employer Survey provided data on the number of hours typically worked by different types of workers in these farms, including regular full-time and part-time staff, and casual and seasonal staff. 190 of the 193 respondents with casual and seasonal staff provide a non-zero estimate of the typical hours worked per week in 2021. See table G.4 broken down by whether the respondent employed seasonal migrant workers.

Table G.4: Descriptive statistics on respondents' typical hours for casual seasonal workers

Respondent	Mean	Standard Deviation	Min	Max	Count
Does not employ Seasonal migrant workers	24.367	24.656	1	150	150
Employs Seasonal migrant workers	40.750	14.663	1	60	40

Recoding was conducted for reporting of over 80 hours a week to 80 hours per week. This recode affected three responses and led to updated descriptive statistics. The resulting distribution of typical hours worked is reported in Figure G.1. This distribution shows respondents with seasonal migrant workers typically report them working longer hours, and a smaller share of those using seasonal migrant workers having very low hours.

Figure G.1: Distribution of hours



Of the core sample of 40 respondents employing seasonal migrant workers 32 provided a monthly breakdown of the numbers employed and typical weekly hours worked. However, there were data gaps to address before data could be further utilised:

- One respondent employed seasonal migrant workers but did not provide hours information. For this case, the data gap was filled by assuming their seasonal migrant worked the full-time working hours.
- Eight respondents did not report how many seasonal migrant workers they employed each month. For these cases it was assumed that they use seasonal migrant workers the average number of months that the other firms employed seasonal migrant workers (7.5).

Filling these data gaps enable the core sample size of 40 to be maintained.

Average hours worked per week for different categories of workers is reported in Table G.5.

Table G.5: average hours worked by employee type

	Mean	Standard Deviation	Min	Max	Count
Full-time regular staff	46.420	12.298	1	90	288
Part-time regular staff	20.728	12.190	1	60	206
Casual and seasonal staff	27.005	21.681	1	80	192

Next was the calculation of the number of hours that each type of worker undertook for each business. This is done on a 48-week basis for full-time and part-time staff and a 30-week basis for casual and seasonal staff including seasonal migrant workers (based on the average number of months the business employs seasonal migrant workers).

For two cases where the farm records a positive number of casual and seasonal workers, but the hours worked per week for both Full-time and casual seasonal migrant workers were missing, the average hours worked by casual and seasonal migrant workers in those firms that employ them was inserted.

This process results in a value for the hours worked in each farm, per year, by each category of worker. These data are summarised in Table G.6, for the subset of farms that report some positive number of total hours worked (we exclude farms that do not report any hours worked).

For the core sample, the hours worked on these farms by seasonal migrant workers was calculated as follows.

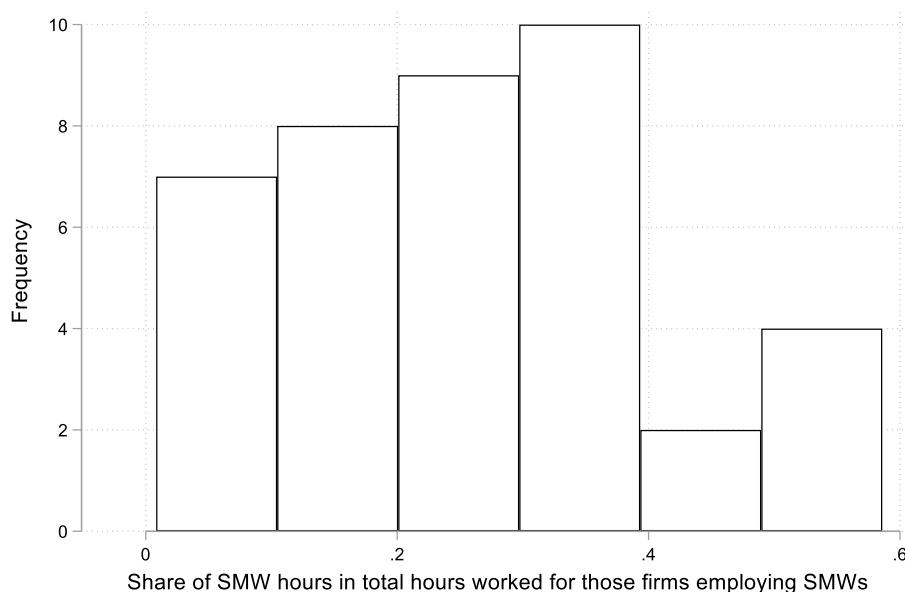
- Take the average number of seasonal migrant workers employed in a month by each business
- Multiply by the hours worked by casual and seasonal migrant workers on these farms.
- This gives us an indication of the average hours worked per week on each farm by Seasonal migrant workers.

- Multiply this by 30 to arrive at the total hours worked on the farm by seasonal migrant workers each year.
- To understand the relative contribution of seasonal migrant workers on these farms the share of labour input they represent was calculated (see Figure G.2 and Table G.7).

Table G.6: Hours worked, descriptive statistics

	Mean	Standard Deviation	Min	Max	Count
Full-time regular staff	6,924.34	22,645	0	275,424	393
Part-time regular staff	1,054.66	2,458	0	21,600	393
Casual and seasonal staff	16,466.30	107,999	0	1,350,000	393
Employ Seasonal migrant workers	153,639	30,9345	30	1,350,000	40
Do not Employ Seasonal migrant workers	922.66	2,525	0	24,300	353
Total	24,445.30	123,771	30	1,466,400	393

Figure G.2: Share of hours worked by Seasonal migrant workers in those firms which employ Seasonal migrant workers



There were some respondents who have a high share over 58% of the total hours worked that are comprised of Seasonal migrant workers, but also some businesses where the share is far lower (the lowest is under 1%).

Table G.7: Seasonal migrant worker hours share of labour input (all respondents and only those using Seasonal migrant workers)

	Mean	Standard Deviation	Min	Max	Count
All respondents	0.026	0.091	0.000	0.586	393
Employs Seasonal migrant workers	0.256	0.153	0.008	0.586	40

Comparison between Employer Survey data and Scottish Agricultural Census Data

Table G.8 presents some comparisons between our sample and the 2021 Agricultural Census on key metrics such as crops grown.

Table G.8: Comparing our sample characteristics and the Agricultural Census

	Agricultural Census			Employer Survey			
	% of Agricultural Census	Min	Max	Average	Min	Max	Average
Total number of farms	2.1%						
Owned area	4.8%	0.01	38884.37	119.82	0.01	22000.00	249.73
Rented area	15.6%	0.01	26880.00	82.87	0.01	80476.00	584.53
Full-time	9.2%	1.00	257.00	2.06	0.00	151.00	1.17
Part-time	5.6%	1.00	62.00	1.58	0.00	30.00	0.41
Casual & seasonal	61.3%	1.00	603.00	3.31	0.00	1000.00	4.65
Total cereal, oilseeds and protein crops	4.6%	0.01	1420.53	57.53	0.10	1190.00	119.81
Total potatoes	4.4%	0.01	143.82	10.89	0.001	129.00	20.69

This shows the Employer Survey sampled around 2% of farms. This is a relatively small sample, despite contacting the entire sampling frame of the Agricultural Census.

The Employer Survey sample appears to contain a disproportionate response from farms employing casual and seasonal staff. This likely reflects the focus of the questionnaire (with survey recipients who do not employ casual and seasonal workers perhaps thinking it is not important that they respond given the subject matter).

Employer Survey respondents on average employ fewer full and part-time staff than in the Scottish Agricultural Census sample, but far more casual and seasonal staff than the average in the Scottish Agricultural Census.

The Employer Survey sample comprises around 4.5% of the Cereal etc and Potato crop hectares, the composition of this suggests that we've had responses from farms that on average are larger in terms of hectares of grown of these crops, consistent with our sample comprising a higher average size in terms of total hectares owned and rented.

In short – there are good reasons to believe the Employer Survey is not fully representative of the broader population of farms and agricultural employers in Scotland.

However, given that the Employer Survey contains a significant share of the casual and seasonal employers, weighting these as in the final modelling approach, would seem the most reasonable approach to grossing these survey results up to the broader population.

Appendix H: Evidence Review Findings

Employer and worker motivations for seasonal migrant work in Scottish agriculture

Reliance on migrant workers in Scotland

The Scottish agricultural sector, in particular horticulture (fruit and vegetable production) and the potato sector, has a high dependency on migrant workers at all stages of the production process, including sowing, planting, weeding, picking, grading, processing, and packing. Many of these tasks do not have a viable mechanical alternative, and the availability and capability of local people is limited (Thomson and McMorran 2019, NFU 2020, Barbulescu and Vargas-Silva 2020).

This reliance on casual and temporary employees began to develop several decades ago. Agricultural intensification drove down wages, employers struggled to recruit labour locally, and migrant labour was increasingly available due to countries accessing the EU (Findlay et al. 2010, Nye and Lobley 2021). Furthermore, the UK permitted citizens from certain countries unrestricted access to its labour market (Findlay and McCollum 2013).

According to Consterdine and Samuk (2015), employers prefer migrant workers, due to the perceived superior work ethic of migrants in contrast to British workers. Employers see migrants as more tolerant of undesirable employment conditions than domestic labourers. Research on employers' attitudes found that they see migrant workers as holding a superior work ethic – putting significant effort into their job and monitoring their own performance without the need for continual employer surveillance (Ruhs and Anderson 2010). The higher tolerance of poor working conditions has been linked to the perceived temporality of the situation (Flynn and Kay 2017). Less explicit reasons for employers valuing migrant workers could relate to wider studies of UK employers found to value migrant workers as 'good workers' and less demanding than our domestic workforce (MacKenzie and Forde 2009). In turn, this could be linked to a lack of knowledge of workers' rights and insufficient understanding of English (FLEX and FMF 2021).

Employers in the UK have found it difficult to source domestic labour to take up seasonal employment on farms (Findlay et al. 2010). In 2020, despite the widely publicised Pick for Britain campaign, UK residents made up only 11% of the workforce (NFU 2020). Domestic recruitment in 2021 was at 5% for Scotland (NFUS 2021). Part of this is related to rules associated with unemployment support which makes it unattractive for locals to take up seasonal employment. Therefore, migrant workers are filling roles not taken up by the national workforce. This makes the case of seasonal migrant labour in agriculture distinct from other sectors in that it has a 'complementary' nature (rather than 'substitutional' as in other sectors that rely on migrant labour) (Findlay et al. 2010).

Motivations of seasonal workers

According to Thomson (2018a), key motivations for foreign workers choosing to work on Scottish farms were:

1. Earnings potential linked to enhanced quality of life and goals;
2. Conditions of work relative to home countries; and
3. Familiarity, recommendations and farm reputation.

This is confirmed in more qualitative studies that mention employment, and a combination of aspirations for the future linked to emotional considerations and a sense of security (Flynn and Kay 2017). Motivations for migration are similar across sectors with employment and associated income the dominating factor, and further factors reflecting a variety of individual circumstances such as learning English, family reunification, connections in the area, gaining work experience and positive past experiences (Jentsch et al. 2007).

Given the important role of employment and income as motivation for migrant workers, it is clear that the level of wages in the home country plays an important role. Although minimum wages for example in Bulgaria and Romania have increased over the last decade, they are still below Scottish wages and thus continue to represent a strong incentive. However, a reduced take-home wage will reduce the attractiveness for workers to come to Scotland. The take-home wage reduces in line with a poorer exchange rate for the British Pound, meaning that the effective take-home wage for Eastern Europeans working in the UK has fallen since 2015 (Thomson 2018a, Thomson and McMorran 2019). There is also less need for workers to migrate to the UK as employment rates continue to rise in their home countries.

Number and demographic qualities of agricultural seasonal migrant workers in Scotland

The demographics of seasonal migrant workers are changing, mainly in response to socio-economic conditions in both the home and the host country. A general trend for seasonal migrant workers in Scotland is that workers are becoming older, there are fewer students and fewer returnees. According to Thomson (2018a), in 2017 about 60% of Scotland's seasonal migrant workers came from Bulgaria and Romania, and a further 18% from Poland.¹⁵

Seasonal migrant workers play a key role in the soft fruit sector on the east coast and are on average employed for about four months per year. The total duration of their stay may vary between less than two months and more than six months during a season, and a proportion of workers are also highly mobile, working on different farms and regions.

¹⁵ A smaller sample of 8 farms (representing 1,995 seasonal workers) from 2019 showed Romania (58%) and Bulgaria (25%) as dominant in providing the labour pool (Thomson and McMorran 2019).

The changing geographical focus reflects the level of attractiveness of working in Scotland, rules and requirements attached to temporary migration schemes (currently the UK Seasonal Workers Pilot) and the economic situation in the home country. Overall, Scotland and the UK have become less attractive to other European countries since the UK's withdrawal from the EU. This is due to visas being required that are costly and time-consuming to arrange, and other costs associated with arranging and traveling to work in Scotland having an off-putting effect (Thomson et al. 2018; Thomson and McMorran, 2019; FLEX and FMF 2021; Kyambi et al. 2018; NFUS 2021). However, EU Exit as such is only a contributory factor and not the main reason for worker shortages.

These factors result in fewer workers coming to Scotland, and that cohort being characterised by different demographics and skills. The workers tend to be older, and fewer of them are students. These factors are associated with a poorer level of English (Thomson 2018a). Workers now have a higher need for support but are less able to secure it themselves. Employers have also seen fewer returnees (about half of the workforce were returnees in 2017, Thomson 2018a). Whilst previously workers developed skills over multiple seasons if the employers were able to retain good seasonal employees year after year, the drop in returnees means that the skills level overall reduces (NFUS 2021).

Employer and worker experience of temporary migration schemes

Temporary migration programmes are a longstanding policy instrument to address labour shortages, with the host state, the sending state, and the migrants all seen to benefit (Consterdine and Samuk, 2015, 2018). However, the aims of those involved do not necessarily align. For example, national migration policies may aim to address rural depopulation and the viability of public and private services in rural communities.

Concurrently, migrants themselves have a different, continuously evolving agenda that drives their decisions to be mobile or settled and allows them to negotiate their identities and sense of belonging (de Lima 2012). In addition, it can be questioned whether such programmes are indeed justified, given examples where a temporary measure to fill labour shortages evolved into large-scale immigration settlement (for example in Germany and the US) (Consterdine and Samuk, 2015). Some have even argued that labour 'shortages are socially, economically, culturally and politically constructed and that they need not exist' (Geddes and Scott, 2010, 211).

Both academia and policy have criticised temporary migration programmes for tying workers to employers in rigid ways and falling short of integration measures (Consterdine and Samuk, 2015). Indeed, recent proposals for a UK programme were criticised for lacking elements that are recognised as best practice for circular migration (Zubairi et al. 2020, report commissioned by Scottish Government).

Elements that are recognised as best practice include ensuring protections for migrant workers' rights, as well as provision of requirements of pastoral support and

duty of care towards migrant workers. Best practice also refers to closer governmental relations between sending and host countries to coordinate migration and reintegration of workers to their home country (ibid., 77ff).

These issues also apply to sectoral programmes such as the Seasonal Agricultural Workers Scheme (SAWS) and the Seasonal Workers Pilot (SWP). Investigation of the working conditions and lived experiences of migrant workers is relevant in the broader context of how migrants to Scotland and the UK are treated. There are concerns about human trafficking and that 'human rights of newcomers to the country' are not being upheld (Petkevica 2021, FLEX and FMF 2021). The central issues revolve around fair recruitment and fair treatment of workers.¹⁶

What Jentsch (2007) stated for migrant workers across sectors in both rural and urban areas, is still likely to apply today. Policies that attempt to deal with seasonal migrant workers in agriculture need to be flexible, to take account of diverse migration regimes across Europe. Jentsch claimed "*Best practices cannot simply be transferred from one context to another: one size does not fit all.*" Consterdine and Samuk (2018) emphasised that simply the absence of a temporary migration programme will not alleviate migrant exploitation, and that a socially just approach to migrant workers (and associated schemes) needs to be built around migrant agency.

Issues around working permits for migrant workers continue to play an important role. These permits determine who can come to and work in Scotland, for how long, what conditions must be met, what dependencies are established and what (transaction) costs arise.

Working permit rules are framed by temporary migration schemes, also referred to as seasonal workers' schemes. These schemes combine differing objectives of labour law and immigration policy which leads to tensions between ensuring workers' rights and avoiding seasonal migrant workers remaining in the country permanently (Zubairi et al., 2020). This tension is not a problem unique to the UK, but also emerged at European level. Legal and political interests clashed in the EU's Seasonal Workers Directive, when immigration control and labour rights are incompatible (Fudge and Herzfeld Olsson 2014).

The UK's Seasonal Agricultural Worker Scheme was introduced in 1943 and has been adjusted to the sector's demands over the years (Consterdine and Samuk 2015). Workers from non-EU countries (Ukraine, Russia, Belarus, Bulgaria) made up a large share in the early 2000s. Thomson (2018b) explains the Seasonal Agricultural Workers Scheme was restricted to workers from non-EU countries from 2008 and was 'eventually scrapped in 2013 as post-accession worker restrictions on Bulgarian and Romanians came to an end' (Thomson 2018b). Before the

¹⁶ Fair Work has been defined in Scottish Government's Fair Work Framework as 'work that offers effective voice, respect, security, opportunity and fulfilment; it balances the rights and responsibilities of employers and workers, and can generate benefits for individuals, organisations and society'. (<https://www.gov.scot/publications/fair-work-action-plan/pages/2/>). See also the information sheets on Fair Work and Fair Work Practices (<https://www.gov.scot/publications/fair-work-practices-in-procurement-toolkit/>).

closure of the scheme, Seasonal Agricultural Workers Scheme had reached a quota of 21,250, representing a fourfold increase from the original quota in 1990 (Consterdine and Samuk 2018). There is evidence that suggests changes in specific rules of the scheme influenced the distribution of workers' home countries and numbers of migrant workers (Consterdine and Samuk 2015; Scott 2015; Findlay and McCollum 2013).

After the closure of Seasonal Agricultural Workers Scheme and prior to a new scheme being introduced, there were years with worker shortages and without. In their submission to the DEFRA inquiry into labour constraints in the agricultural sector, the National Farmers Union highlighted a shortfall in migrant labour to the UK overall. Although no shortages were reported for 2016, labour providers recruited over 4,000 fewer workers than needed in 2017 (Zubairi et al. 2020). This is mirrored in a [National Farmers Union Scotland \(NFUS\) survey](#) where almost half of the respondents (31 in total) had difficulty harvesting in 2017 due to labour shortages.

A new scheme was announced in 2018, in response to concerns raised by farmers about possible labour shortages. The Seasonal Workers Pilot (SWP) introduced in 2019 allowed the recruitment of up to 2,500 temporary migrants to seasonal roles in the horticultural sector. This quota was increased to 10,000 in 2020 (FLEX and FMF 2021).

Criticism of seasonal worker schemes

The Seasonal Workers Pilot quota was expanded to 30,000 in 2021 from 10,000 in 2020 (Defra and Home Office 2021). This expansion allowed workers to enter the UK on a Seasonal Workers Visa (SWV), a Tier 5 sponsored visa. Scheme pilots have been criticised for several reasons. These include insufficient quotas allowed lack of flexibility to account for a highly mobile workforce and return rules (Thomson 2018c). Zubairi et al. (2020) commented on the 'clunky visa processing system' that resulted in delays for workers coming into the country.

When assessing the adequacy of the various iterations of migrant worker schemes, the total number of workers required needs to be kept in mind: An estimated 70,000 to 80,000 migrant workers are engaged in UK agriculture (House of Commons 2017), with an estimated 9,250 seasonal migrant workers used on Scottish farms in 2017 (Thomson 2018a). These figures indicate that a quota of 30,000 is not sufficient to meet the needs of the agricultural sector in the UK. Farming organisations point to the risk of unharvested crops and lost business revenue due to worker shortfall. For example, in September 2021, the NFUS emphasised a shortage of both permanent and seasonal workers with impacts on farmers as well as the food and drink industry (See, [NFU Scotland pressures Government on labour crisis, Food Manufacture 2021](#)). Notably, the Seasonal Agricultural Workers Scheme had an annual quota ranging from 16,250 to 25,000 between 2004 and 2012, with only 82% of the highest quota (in 2004) being used (Consterdine and Samuk, 2015, 5). Recent figures from the [Feeding the Nation](#) project found that labour shortage issues continue across the UK in 2021:

- 8 in 10 UK farmers had difficulties employing and retaining seasonal workers in 2021, compared with 2020,
- 16% had shortages of over 20% of their required need,
- 5 in 10 found it “fairly difficult” or “very difficult” to navigate new immigration system,
- 6 in 10 farms recruited the same number of British workers in 2021 as in 2018.

Further criticism of the Seasonal Workers Pilot related to the stay of workers limited to 6 months per year, which could undermine the ambitions of those workers who want to stay longer (26% of workers in Scotland surveyed by Thomson 2018a stayed more than 6 months in a given season). Other businesses need labour at multiple times of the year for short periods of time, which again does not fit well with a set 6-month period. NFUS (2021) assessed the 6-month ‘cooling off’ period between visas as too long. The Seasonal Agricultural Workers Scheme preferred new candidates each season (Thomson 2018c); a setup which can be seen to undermine the benefit that returnees bring to businesses. The NFUS has requested a more permanent solution to the issue: the organisation called for a review of the Seasonal Workers Pilot and to replace it with an improved permanent scheme (see, [Farming’s labour shortage plea, The Scotsman 2021](#)). This should take into consideration the needs of both farm businesses and seasonal migrant workers, to secure a workforce for the long term (NFUS, 2021, Nye and Lobley, 2021).

Such a permanent scheme would frame the issue not simply as seasonal migration of a new set of agricultural workers every year, but as one of circular migration. This would explicitly recognise the benefits that returnees bring. It would need to address interrelated problems in the following areas:

- Insufficient protection of workers’ rights; including tying workers to employers in rigid ways (Consterdine and Samuk 2015), linked to visas and transfers, and improving the clarity on contracts (NFUS 2021)
- Right type of recruitment (better connecting farm businesses to prospective employees) and measures to increase the returnee rate (NFUS 2021)
- Insufficient integration measures (Consterdine and Samuk 2015), support and pastoral care (Zubairi et al. 2020)
- Closer relations between sending and host countries to coordinate migration and reintegration of workers to their home country (Zubairi et al. 2020).

International examples

Comparative international examples of temporary worker schemes have been reviewed extensively in a recent report for Scottish Government (Zubairi et al. 2020). This covered both agricultural and non-agricultural migrant worker schemes and found migrant labour to be most concentrated in primary industries. Two schemes were reviewed in-depth: the Seasonal Agricultural Workers Program in Canada, and the Recognised Seasonal Employer Scheme in New Zealand (ibid.,

27ff). In addition, schemes for migrant workers in Spain, South Africa, Australia and Germany, as well as the EU Seasonal Workers Directive were discussed briefly. In summary, the scheme in New Zealand has been recognised internationally as good practice (Gibson and McKenzie 2014; Bedford et al. 2017). Its distinguishing features are a comprehensive provision of pastoral support and the close cooperation between the New Zealand government and sending states, with beneficial impacts on returning workers.

In general, there seems a clear delineation between those advocating for temporary migrant worker schemes and those who are critical of them. Food and farming businesses, along with their representative organisation such as farmers unions, are 'fierce advocates' of the schemes. After all, they – and developed world agriculture more generally – have become increasingly reliant upon low-wage, but not necessarily low-skilled, migrant labour (Scott 2015). Academics and human rights organisations are amongst the critics, mainly due to the risk, and actual practice, of exploitation (FLEX and FMF 2021), and governments 'trying to import labour but not people' (Scott 2015). This links back to the inherent tension between immigration control and worker rights, and the demand that a socially just approach to migrant workers (and associated schemes) needs to be built around migrant agency (Consterdine and Samuk 2018).

Employer and worker experiences of recruitment

Where temporary migration schemes are in place, they will influence recruitment rules and processes. At a general level, 'most international migrants depend on some form of intermediary to help them migrate to and find employment in another country. These intermediaries can take a number of forms and include recruitment agencies selecting those they consider to be appropriate candidates and matching them to suitable vacancies in host countries. They can also be informal social networks, whereby friends and family share information and advice about job opportunities abroad' (Findlay and McCollum 2013). Intermediaries channel information and resources, and filter who does and does not have access to migration systems, which puts them in a position of power and allows them to shape the nature of the migrant experience.

Recruiting seasonal farm labour now requires greater effort for a poorer return (age, quality of workers, increased retention cost). ALP (2019) highlighted that the quality of workers continues to fall, while labour sourcing and supply costs continue to rise. Without access to seasonal migrant workers, the business models of many horticultural businesses become untenable. It has been suggested that the uncertainty around access to foreign seasonal farm work has led many businesses to consider changes in their business structure, for example downscaling their business, switching to other agricultural activities, or ceasing current activity (Thomson 2018c; Thomson & McMorran 2019). Employers of seasonal workers claim that the current arrangements where migrants are expected to cover the visa costs of £244 plus cost of travelling makes countries such as Spain, Greece, Sweden, and Germany more attractive (Brown 2021).

According to ALP (2019), the majority of UK food growers and manufacturers have already increased wages of lower skilled workers. In addition, they are deploying numerous labour attraction and retention strategies. Iain Brown, chairman of NFU Scotland Horticulture Working Group, stated that agricultural wages in Scotland are higher than those in England, and higher than the minimum wage (Malik 2021). According to NFUS (2021), the NFU's end of season survey for 2020 showed an average hourly wage for seasonal workers of £10.35. This is stated to be consistent with anecdotal feedback from NFUS member businesses that report hourly rates above £10 and often as high as £15. Nevertheless, overall, wages in the agricultural sector are low relative to other economic sectors. The average hourly wage for farm workers was a third less than the overall UK average wage (Devlin 2016). This is mediated to a limited extent by the fact that in addition to an hourly rate, migrant workers in horticulture tend to have some component of their wage that depends on their output; how much fruit they pick, also called a piece rate (MAC 2013).

Around half of Scotland's seasonal migrant agricultural workforce were returnees in 2017, with the remainder being sourced through: (i) recruitment agencies (18%); (ii) informal 'friends and family' networks of existing staff (13%); and (iii) direct recruitment by the farms (10%) (Thomson 2018a). In addition, during peak work periods labour providers are often contracted to supply workers on a more flexible and immediate basis, something more commonplace in the field vegetable and potato sector compared to the fruit sector. From an industry perspective, recruiting new workers has become more challenging and expensive (Thomson 2018b). This change is a result of fewer returnees and increased 'no shows' (Thomson and McMorran 2019). The NFUS (2021) is strongly in favour of 'cutting out the middleman' as they believe it will improve information flow, help to recruit workers with realistic expectations, and reduce the amount of additional costs prospective employees are currently incurring in the recruitment process.

Gangmasters, or operators, played an important role as they managed the Seasonal Agricultural Workers Scheme on behalf of the UK Border Agency. They were responsible for recruiting and processing applications, ensuring farmers provided suitable accommodation and adhered to regulations around employment rights such as minimum wage. Also, workers were not allowed to switch to another farm site. Hence operators formed the control mechanism for the lives of the workers (Consterdine and Samuk 2018). The Gangmasters Licensing Authority (GLA) later renamed Gangmasters and Labour Abuse Authority was established in April 2005. Their primary purpose is to prevent the exploitation of workers in the agricultural and food sector (Consterdine and Samuk 2018). The Gangmasters and Labour Abuse Authority is a non-departmental public body which licenses labour providers in the food and food processing industry, including the Seasonal Workers Pilot Operators (FLEX and FMF 2021).

The Seasonal Workers Pilot has a reduced number of scheme operators, and unlike Seasonal Agricultural Workers Scheme, these operators are not permitted to source labour for their own needs (FLEX and FMF 2021). Pilot Operators must ensure certain conditions are met for the workers they sponsor, including a safe work environment, minimum wages, hygienic and safe accommodation (ibid.)

Research in Scotland identified 'unfree recruitment' as a high risk associated with forced labour. This is related to the finding of high levels of inaccuracy reported by workers, where information received in their own country diverges from the reality upon arrival. Further working conditions compound the risk, namely the debts incurred by workers for travel, lack of translation and pressure to sign contracts (FLEX and FMF 2021).

An additional factor that may impact negatively on workers choice to come to Scotland is the perception of a hostile press and xenophobia, and a feeling of being unwanted (Thomson and McMorran 2019). However, Barbulescu et al. (2021) interpret the data from a 2020 poll to suggest that there is less opposition to seasonal migration compared to other types of low skilled migration. According to the poll, the UK public seems less opposed to seasonal migrant workers (22% want a decrease), compared to the general category of low-skilled workers, either from the EU (49% want a decrease) or beyond (51% want a decrease). Regardless of public perception, migrant workers may prefer other European countries that are closer to their home countries. This proximity can make it more affordable for them to visit their families and help to reduce feelings of isolation.

The improved economic performance in Eastern European countries has also led to a general shortage of seasonal farm workers across much of Europe (for example Germany, Ireland, Spain according to Thomson 2018b; and Austria, Mahlknecht pers. comm. 2021). In addition, migrant workers have more options now available to them and as the EU workforce availability tightens, agriculture is increasingly competing with other sectors that are better paid (for example construction) or indoor based (for example factory-based labour), hence may be perceived as having more attractive working conditions. Thomson and McMorran (2019) observe: 'a widespread belief that workers now perceive other countries as more attractive now relative to the UK.'

Being encouraged by friends, acquaintances, and family (both those already in Scotland and those at home) makes a large difference in decision making. These sources can provide information and facilitate access to accommodation and employment, which provides (a sense of) security for the move to an unknown place.

Experiences of Scottish agricultural as a seasonal migrant worker

There are both positive and negative accounts of seasonal migrant worker experiences in Scottish agriculture. Some research has highlighted issues of marginalisation, exploitation and social exclusion (in particular FLEX and FMF 2021). Other work has documented a mixture and relatively positive realities of migrant workers on farms (Flynn and Kay 2017).

A qualitative research study with Central and East European labour migrants living and working in rural areas of Scotland (Flynn and Kay 2017) highlighted the importance of other factors beyond the purely economic incentive. They show that material and emotional aspects of social security influence migrants' decisions of returning, and potentially staying longer term.

Reliable employers, good working conditions, regular wages, all help to provide a sense of material security; whilst feeling valued by employers, having good relations with co-workers, feelings of contentment and calmness whilst at work, and appreciating the surrounding environment, can help to facilitate more emotional feelings of security' (Flynn and Kay 2017).

The scenic attractiveness of Scotland was also cited by migrants to rural areas in the study by Zubairi et al. (2020).

The seasonal migrant workforce in Scottish agriculture is highly diverse: workers come from different countries with different cultural and ethnic backgrounds. This requires employers to provide training to their managers on people management, workers' rights, and anti-discrimination practices. However, Petkevica (2021) found that workers are assigned a supervisor position with limited training, leading her to identify the lack of training for supervisors and management as a key issue. Others have noted the lack of opportunities for progression for migrants in the agricultural sector (Flynn and Kay 2017). For those workers who aim for career progression the perspective of returning to seasonal farm work year after year becomes less attractive.

Temporary farm work brings a host of insecurities and challenges due to its seasonal nature, and in this sense differs from other accounts of migration. The temporary nature may mean that migrants are prepared to accept bad working conditions in the short term, in exchange for long-term (financial) gain in their home country (Rye and Andrzejewska 2010). The extent to which an individual is prepared to accept such trade-offs depends on various other factors, including the nature of working relationships; the location of work; and employers' attitudes and behaviour (Flynn and Kay 2017). Employers' willingness to support migrant workers can make a big difference to their experience of security. One example would be by helping with bureaucratic procedures and paperwork to make this aspect of migration less stressful.

Some migrant workers in Scotland may also be motivated by the chance to improve their English, partially linked to anticipated better prospects for finding other work in the UK and potentially staying more permanently (Zubairi et al. 2020). However, improving language skills, and also making wider social connections, is hampered by long hours, physically demanding work, and a tendency to work almost exclusively with other migrants on the farm (Flynn and Kay 2017). There is limited provision of language classes in rural areas and issues in terms of their accessibility for migrant workers (for example class hours conflicting with work hours, transportation, exhaustion). The English language barrier has been highlighted as a factor increasing the risk of forced labour, for example when workers are not able to read the contracts they sign, or do not understand health and safety instructions (FLEX and FMF 2021).

Several participants in Flynn and Kay's (2017) study 'talked about exploitative and/or negative relations with either employers or co-workers, including with other migrants, who were appointed as supervisors. Issues of competition for jobs and frustrations around interdependencies led to tensions and conflict. Participants

reported that some employers provided only very poor or basic facilities, paid wages late and/or offered unstable and unclear working hours.'

The potential for exploitative relations starts at the recruitment stage. Earlier accounts suggested a more haphazard process of migration, with control largely ceded to others (for example employers, employment agencies) (Jentsch et al. 2007). Others found various planning strategies and negotiations involving a range of relationships and actors (Flynn and Kay 2017). Schemes almost always require an employer sponsor. Under Seasonal Agricultural Workers Scheme, this meant that employers did not have to give any guarantees to migrant workers over the length of work or payment, while the migrants were de facto tied to the employer for a season, and dependent on them for housing and transport (Scott 2015). This was reiterated by Consterdine and Samuk (2015), stating that the source of the problem appears to lie in the institutional arrangements. That is to say, the common arrangement that migrant workers (and their working permit) are tied to a specific employer, thus granting employers almost total control over the workers' lives.

Linked to this, a further area of concern are poor living conditions. Participants in the FLEX and FMF (2021) study reported unsafe housing. There is little they can do to address this problem when their housing is provided by their employer (which was the case for 98% of workers involved in the research). The loss of their work would also mean loss of housing, posing a risk of homelessness. The threat of loss of work (perceived or real) can be abused by employers as a means to exert pressure on migrant workers, for example to meet piece-rate targets and not voice complaints. This dependency on the employer has the potential to lead to 'work and life under duress' which is one of the dimensions of forced labour (ibid.).

Farm workers feature in many of the occupational health and safety risks identified for migrant workers globally. These include exposure to poor weather, high temperatures and pesticides used on farm (Moyce and Schenker 2018). Due to the physically demanding nature of the work, there is a higher risk of injuries, for example from physical hazards, workplace demands, lack of safety standards and workplace abuse (ibid.). A study in Turkey found that health and occupational safety risks are higher for seasonal agricultural workers than other sectors. The higher health risks are associated with transportation, housing, social security, education, nutrition and working conditions (Goecer et al. 2020). Language and cultural barriers, and a lack of access to health care were among the factors highlighted as increasing the risks for migrant workers (Moyce and Schenker 2018). In Scotland, there is some evidence from data collected in the FLEX and FMF (2021) study that migrant workers faced health and safety risks posed by inadequate protective gear, lack of first aid or inattentiveness to accidents and illness. Regarding weather protective clothing, the employer is required to provide this in line with the Agricultural Wages (Scotland) Order. Graham Bruce, Director at Ringlink, stressed this legal requirement applied equally to seasonal migrant workers (See, [Seasonal migrant workers, NFU Scotland, 2021](#)) .

RSABI (Royal Scottish Agricultural Benevolent Institution) works to support people in Scottish agriculture and offers a Seasonal Workers helpline. This has been made available in multiple languages since 2020, in order to address the additional

pressures associated with the COVID-19 pandemic. [RSABI](#) provide practical, emotional and, in some cases, financial support. They state that looking after workers by looking after their accommodation is important both for the wellbeing of the workers and the reputation of Scottish farming. No data could be sourced on the extent to which this support is taken up by migrant workers. According to the [Feeding the Nation](#) project, there is little support tailored for the needs of seasonal migrant workers in the UK. Furthermore, charities have difficulties in reaching this community as they tend to live on farms.

Criticism levelled at the exploitation of migrant workers has also been framed as systemic. Lawrence (2015) wrote: 'Whereas field work and packing and processing were once given to local workers with reasonable family-friendly hours and the chance to top up pay with voluntary overtime at weekends, now it is 24/7 rolling 12-hour shifts confirmed only at short notice, theoretically for the national minimum wage. The zero-hours agency habits pioneered in the food and agriculture sector have spread across the economy. (...) We have created jobs that are inhuman, and incompatible with any normal settled existence.'

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Appendix J: Comparison of results with Thomson et al. (2018)

Similarities

1. Retaining access to this seasonal labour is felt by employers and stakeholders to be critical to the industry.
2. There has been a long-term decline in the availability and willingness of the local Scottish and wider UK labour pool to work seasonally on farms.
3. There is huge value placed on the seasonal EU workforce by employers.
4. Without access to migrant labour, horticulture businesses reported a high likelihood that they would either downscale their business or cease production.
5. The use of a large scale seasonal migrant workforce is concentrated on a small number of very intensive horticulture units.
6. Recruitment agencies used by the industry.
7. The key motivation for non-UK seasonal workers choosing to work on Scottish farms were earnings potential.
8. Most seasonal workers directly employed on farms rented accommodation (usually in caravans) from their employers.
9. Informal social networks have been an important source of introduction to businesses, alongside recruitment agencies.
10. Key challenges that workers faced whilst in Scotland included missing friends and family, language, workloads, fatigue and the Scottish weather.
11. Importance of returnee workers was stressed by employers.

Differences

1. It was conservatively estimated in 2018 that there were 9,255 seasonal migrant workers engaged in Scottish agriculture during 2017 (including 900 employed directly by labour providers).
2. In the current research, moving round of labour between farms seemed less possible due to current visa restrictions. Previously, evidence was found of a proportion of this workforce moving between English and Scottish businesses in line with peak harvest seasons.

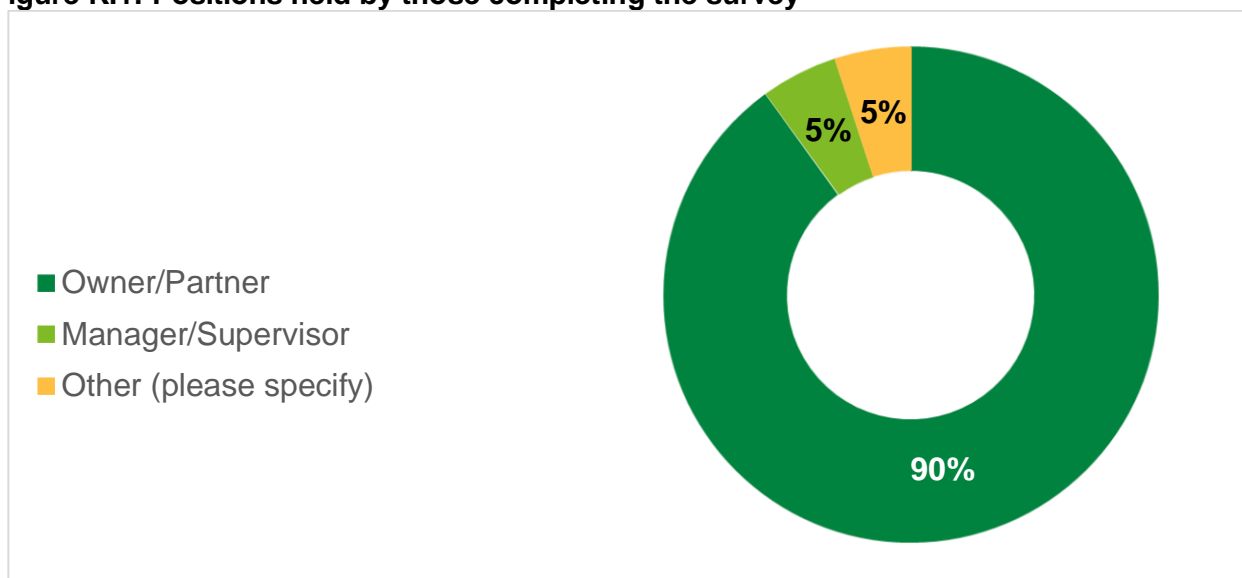
3. In 2018, the decline in non-UK workers' effective 'take-home' wage, caused by a weakening of Sterling, was considered a challenge by most workers, with some saying it may affect their decision to return to Scotland in the future.
4. In 2018, the influence of Scottish Agricultural Wages Board was particularly noticeable regarding overtime, with many businesses generally restricting the number of hours worked by workers to minimise overtime.
5. Uncertainties due to EU Exit were more apparent in the 2018 report. In 2018, many workers in interviews mentioned the attractiveness of other countries (in particular Scandinavia and Germany), where there were fewer uncertainties and high rates of pay.
6. In 2018, many farmers and stakeholders viewed a new visa/permit scheme for seasonal migrant workers as critical to ensuring ongoing access to sufficient worker numbers.

Appendix K: Employer Survey Results on Employers and Workforce

Agricultural employers

The vast majority (90%) of employers who responded to the survey were an owner or partner in the agricultural business (figure K.1). Only 5% of respondents were in a managerial/supervisory role. Other responses included: Tenant, HR/Admin as well as those people who did not run a business from their land.

Figure K.1: Positions held by those completing the survey



Q1. What is your main role in the business?

Base: n=1,089, all respondents

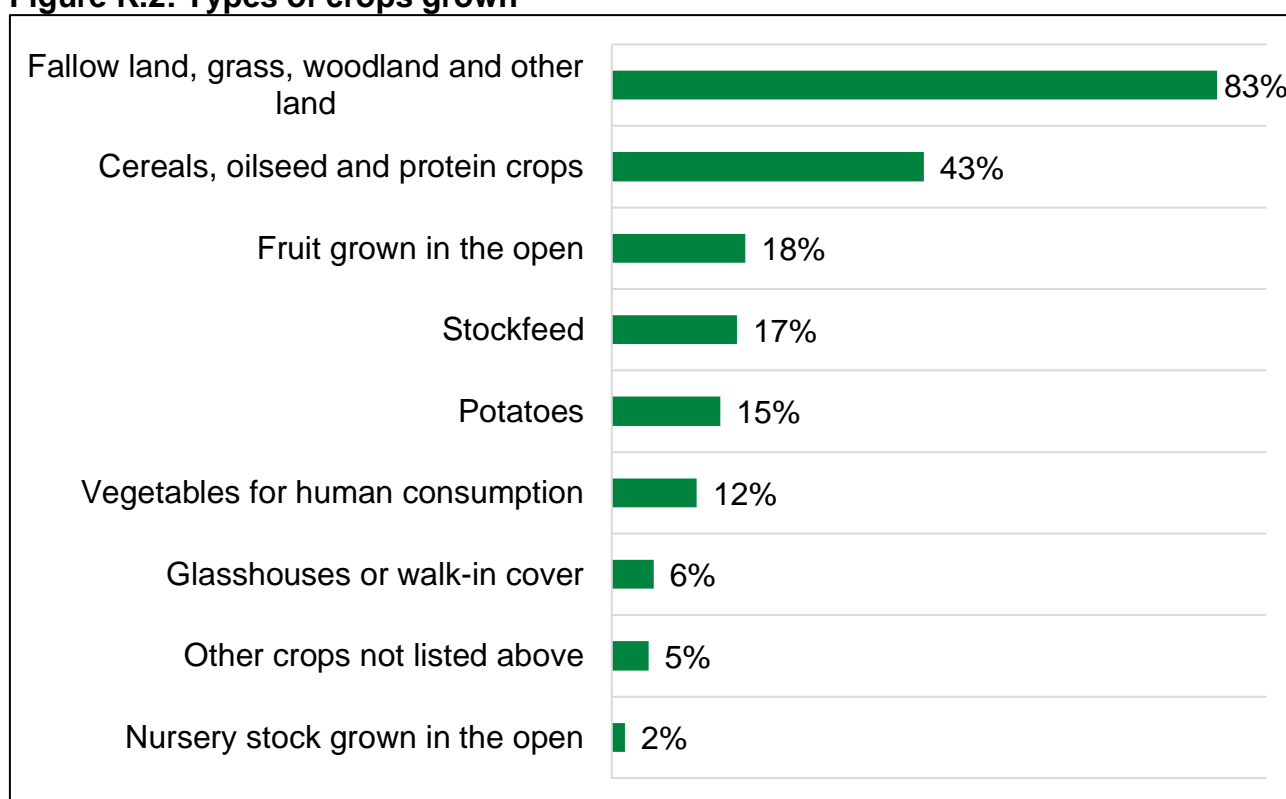
Four out of every five employers who responded to the survey owned their land (81%) while around one in three (32%) rented all or part land on a full tenancy. There were vast differences in the areas of land each farmer was responsible for. The average hectareage of the owned land was 2,523 whereas the mode, the most commonly reported size of land was three hectares (table K.1).

Table K.1: Area of land you own/rent (full tenancy) in hectares

	Owned land (n=882)	Rented land (full tenancy) (n=351)
Mean	2523	854
Median	42.5	34.51
Mode	3	20
Minimum	0.01	0.3
Maximum	1000000	80476

Just under half (45%) grew crops on their land. When analysing these farmers in isolation the majority had fallow land (83%). Cereals, oilseed and protein crops were the most popular crop with 43% of farmers with crops producing these. Less than a fifth of farmers grew fruit in the open (18%) or stockfeed (17%).

Figure K.2: Types of crops grown



Q2. If you have crops, please tell us your land use in hectares for:

Base: n=436, those who grow crops

As with the differences found in the total area of owned or rented land there was variance within the area of land dedicated to each type of crop. On average, fallow land or woodland was the most predominant with farmers having 264 hectares on average. Cereals, oilseed and protein crops had 116 hectares of land dedicated to growth on average.

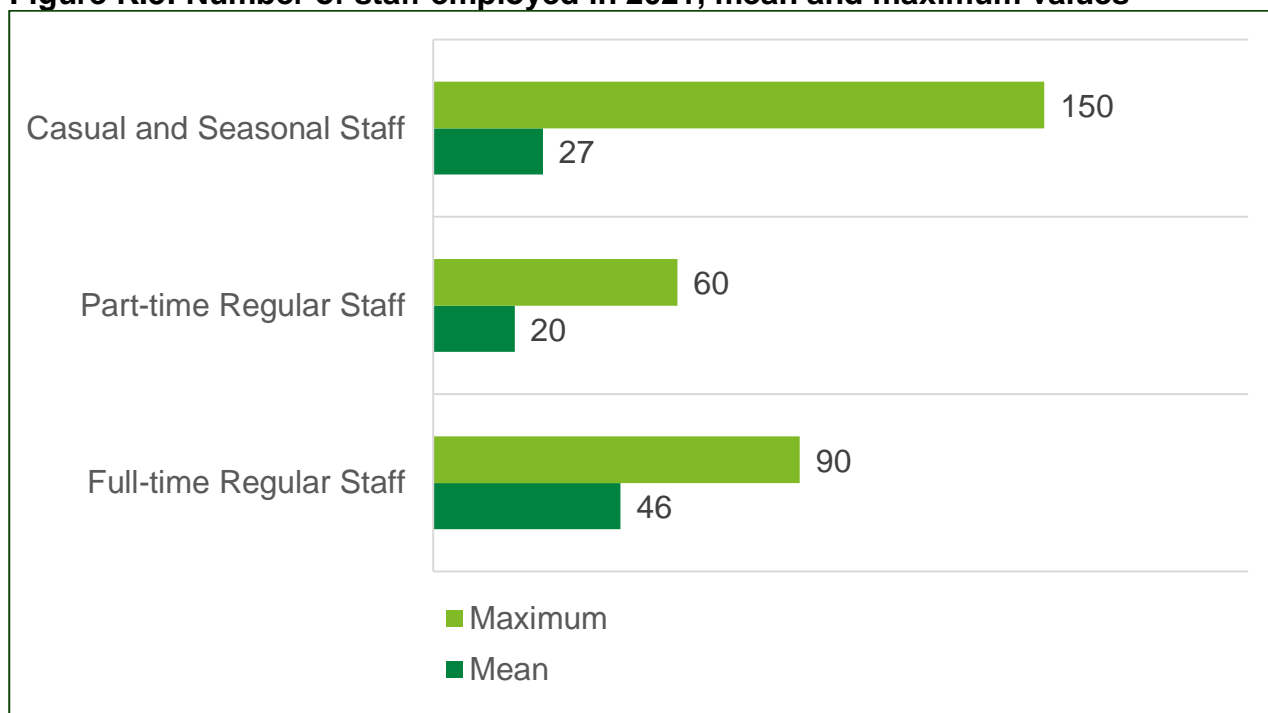
Agricultural workforce

The agriculture sector is vast, with differences in the size of holdings, leading to a range of labour demands. According to the survey results, in 2021 43% of people who either owned or rented land did not employ any workers.

Two thirds (66%) of the people who did employ workers hired full-time regular staff. Just under half (46%) employed casual and seasonal staff and 43% hired part-time regular staff.

The average number of workers varied within each of these classifications. The average number of full-time regular staff was 46 with a maximum of 90 workers. Similarly, at farms which employed part-time regular staff there were on average 20 part-time workers in 2021 with a maximum of 60 workers. The most variation was found in the number of casual and seasonal workers. On average there were 27 casual and seasonal staff on farms which employ staff however the maximum was found to be 150.

Figure K.3: Number of staff employed in 2021, mean and maximum values

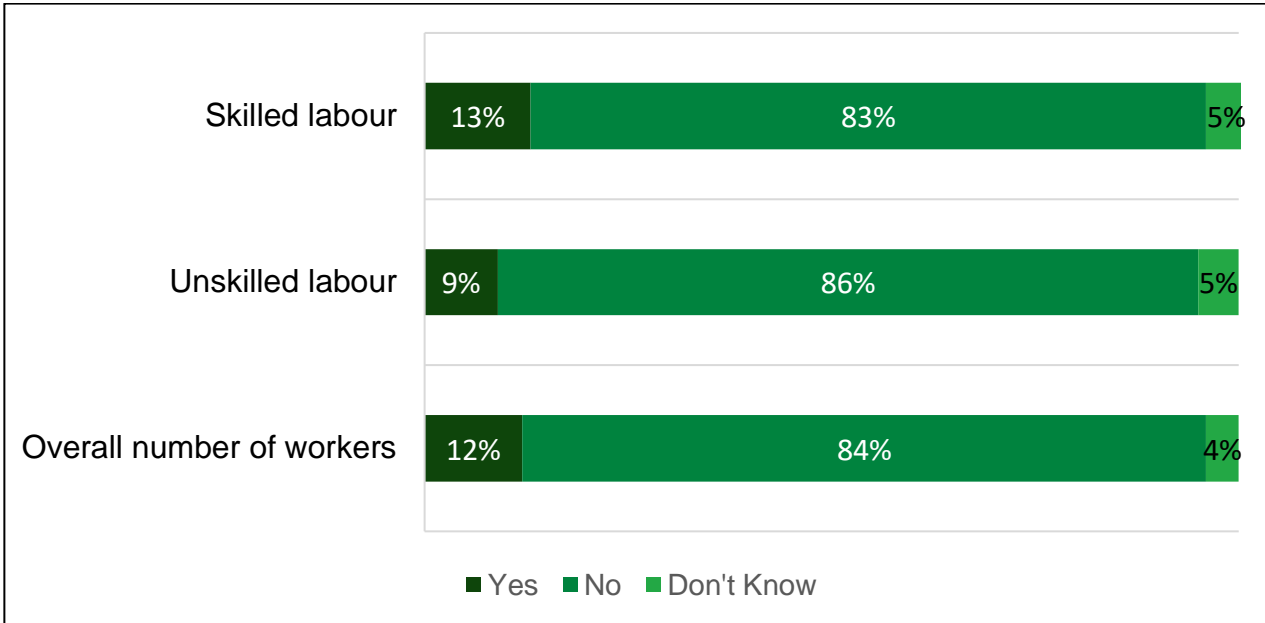


Q9. Approximately how many in 2021?

Base n=431

The majority of employers (84%) did not experience labour shortages in 2021. Where shortages were experienced, 13% were within skilled labour workforce and 9% were within unskilled labour (figure K.4).

Figure K.4: Labour shortages in 2021: overall, skilled and unskilled labour



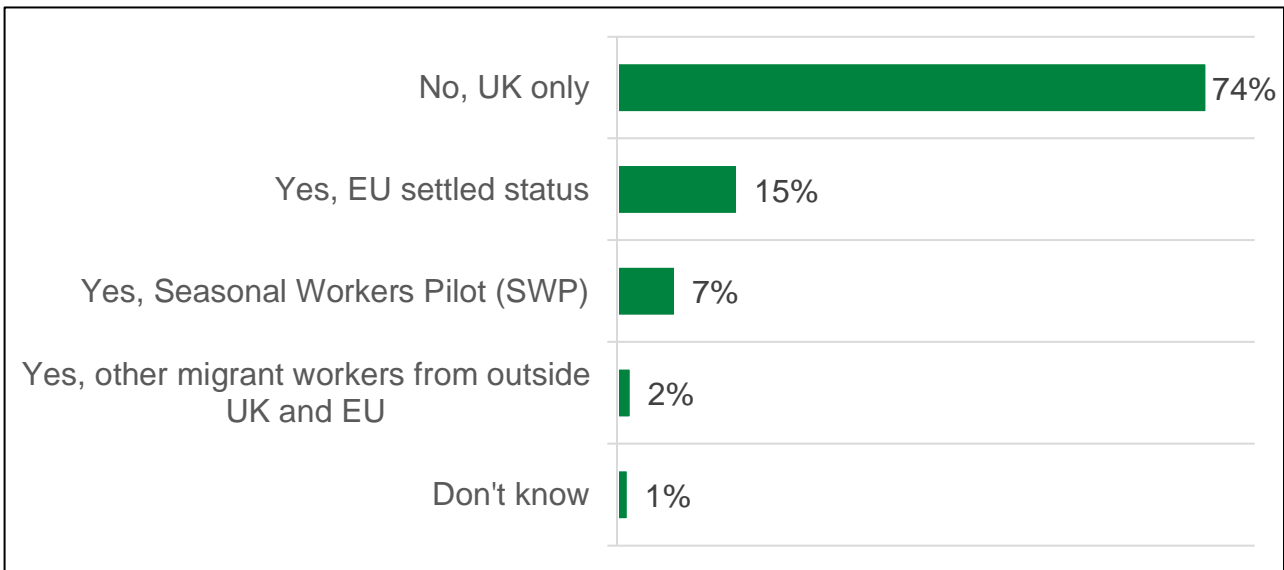
Q7. Did you experience any labour shortages in 2021?

Base: n=1,071

Seasonal migrant workforce

Three quarters of employers with casual or seasonal staff (74%) who responded to the survey stated that these staff members were from the UK only. The most common pathway for those workers from outside of the UK was through EU settled status (15%). Only 7% of those employers with casual and seasonal staff used the Seasonal Workers Pilot (figure K.5).

Figure K.5: Composition of casual and seasonal workforce in 2021



Q11. Did your casual and seasonal workforce in 2021 include seasonal migrant workers?

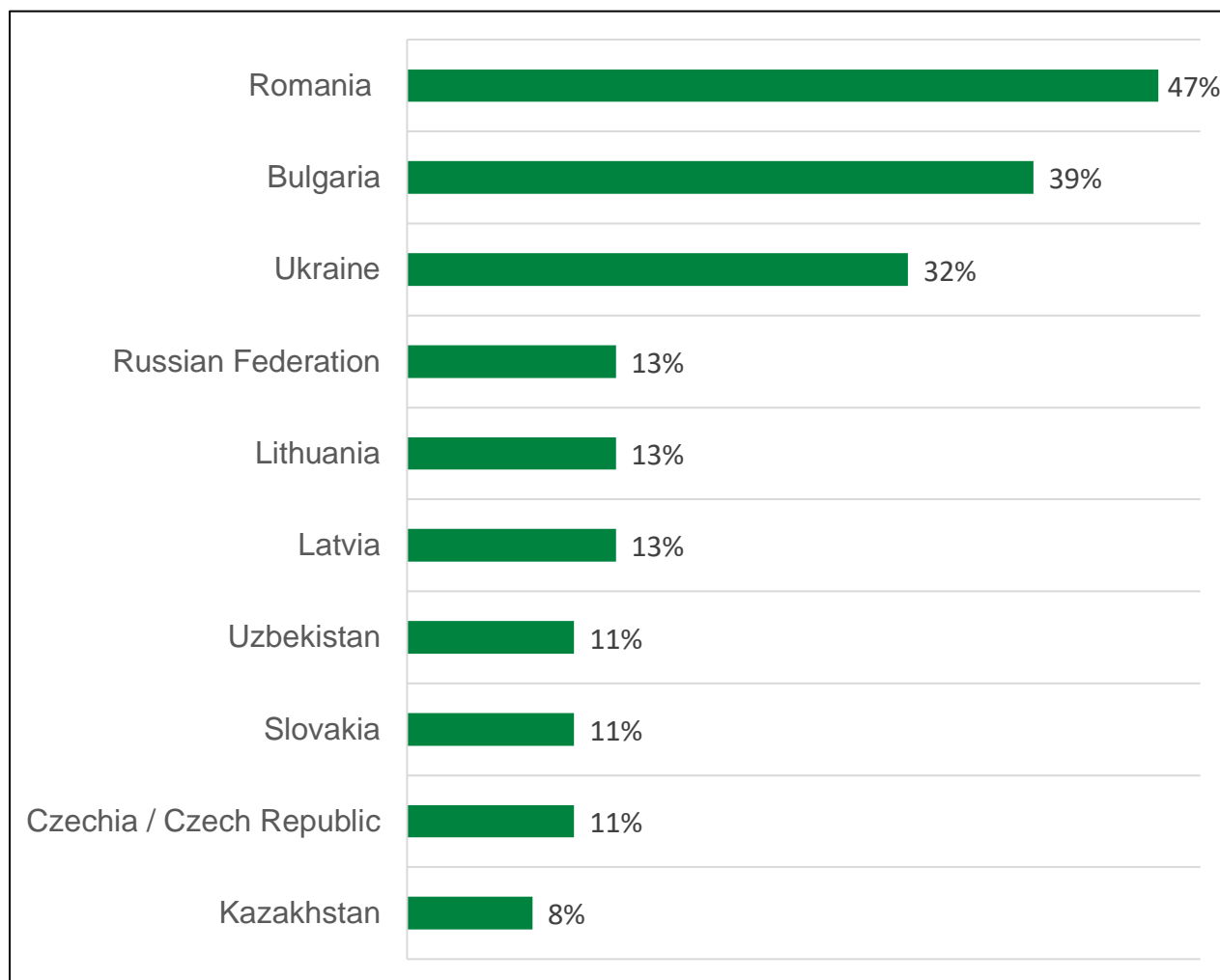
Base: n=270, those who employ casual and seasonal workers

After removing those who employ casual seasonal workers only from the UK, 38 employers of seasonal migrant workers responded to the survey. These farmers were more likely to grow crops (68%) than those without seasonal migrant workers (43%).

The majority of farms that employed seasonal migrant workers experienced labour shortages in 2021 (84%). There were similar shortages experiences finding both skilled (74%) and unskilled (76%) labour.

Employers supplied information about their workers country of origin (see figure K.6). Employers reported having workers from many different countries with almost half of employers having workers travel from Romania (47%). Two out of five farmers reported having workers from Bulgaria (39%) and just under a third had workers from Ukraine (29%).

Figure K.6: Home countries of seasonal migrant workers



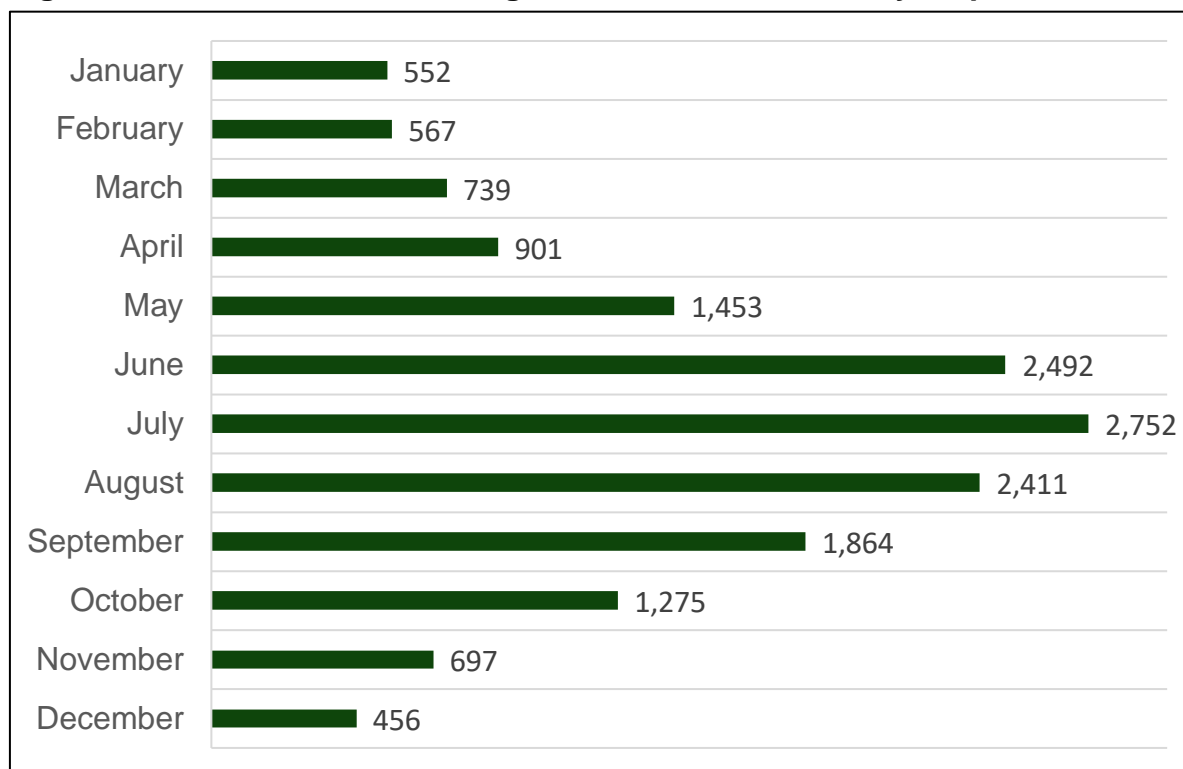
Q15. Please indicate whether seasonal workers in 2021 came from these countries of origin

Base: n=38, those who employ migrant workers

The survey showed that the number of migrant workers in Scotland fluctuates throughout the year. There are typically more migrant workers during the summer

months. July 2021 was the peak, with approximately 2,752 migrant workers employed at the 38 farms who hired seasonal migrant workers (figure K.7).

Figure K.7: Trend in seasonal migrant workers over a one-year period



Q16. The approximate total number of seasonal migrant workers you employed each month in 2021

Base: n=34, those who employed seasonal migrant workers

The majority of employers provided accommodation for all seasonal migrant workers (71%), a further 9% to most of their seasonal migrant workers, 21% to under half of their seasonal migrant workers and the remainder (21%) not providing accommodation for any seasonal migrant workers.

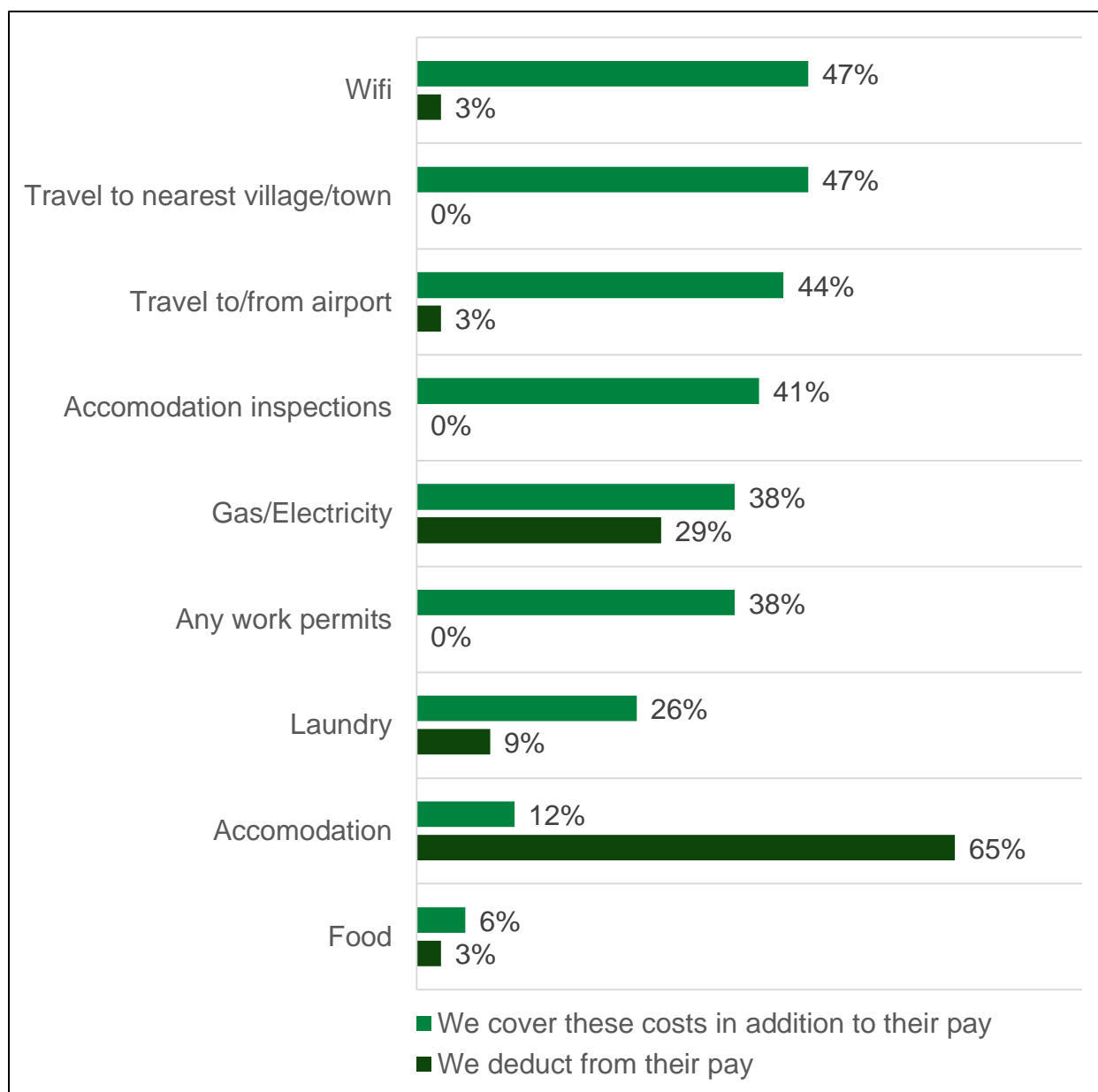
Table K.2: Typical rates of pay for seasonal migrant workers (Base n=34, those who employ seasonal migrant workers)

Typical hourly rate of pay	Value (£)
Mean	£9.72
Median	£9.05
Mode	£8.91
Minimum	£8.91
Maximum	£13.75

Typical hourly rates of pay for seasonal migrant workers ranged from £8.91 to £13.75, with £8.91 the most common rate of pay and an average of £9.72 per hour (table K.2).

Two thirds of employers deducted the cost of accommodation from workers' pay (65%) while 12% covered the cost in addition to employees pay (see figure K.8). Just under half (47%) of employers covered the cost of Wi-Fi in addition to employees pay as well as travel to the nearest village or town. Similarly, 44% of employers covered the cost of travel to or from the airport.

Figure K.8: How seasonal migrant workers cover essential costs (Base n=34, those who employ seasonal migrant workers)



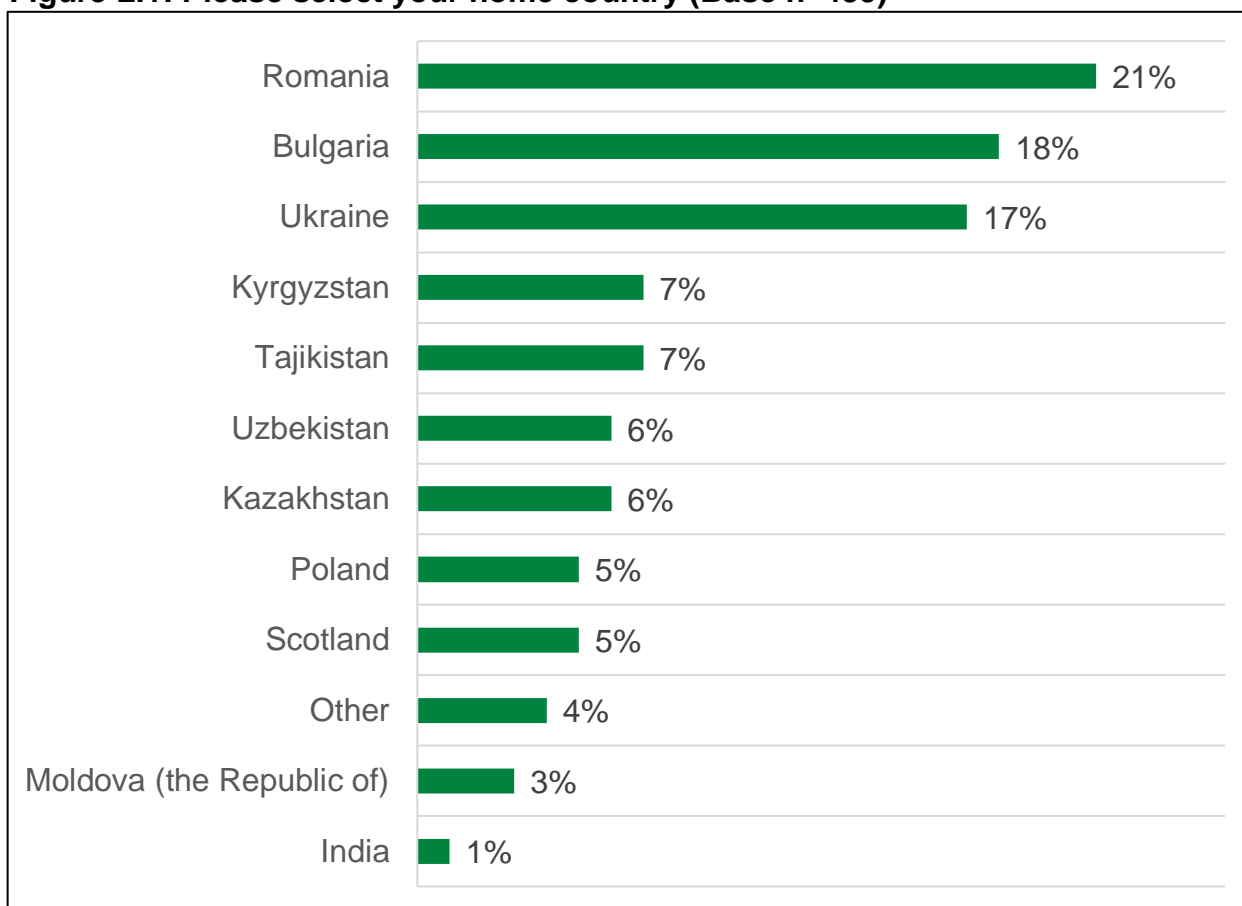
Q19. How do the following relate to the pay of seasonal migrant workers?

Base: n=34, those who employ seasonal migrant workers

Appendix L: Demographic qualities of Worker Survey

Survey respondents had travelled from eleven different countries to work in Scottish agriculture in 2022 (figure L.1). Just over half (56%) of all seasonal migrant workers who responded to the survey came from one of three countries: Romania (21%), Bulgaria (18%) and Ukraine (17%). Those seasonal migrant workers from Kyrgyzstan (7%), Tajikistan (7%), Uzbekistan (6%) and Kazakhstan (6%) made up a quarter (26%) of the sample. Other countries included Poland (5%), Moldova (3%) and India (1%). Interestingly, only 5% of seasonal agricultural workers were from Scotland.

Figure L.1: Please select your home country (Base n=439)



Q1. Please select your home country

Base: n=439

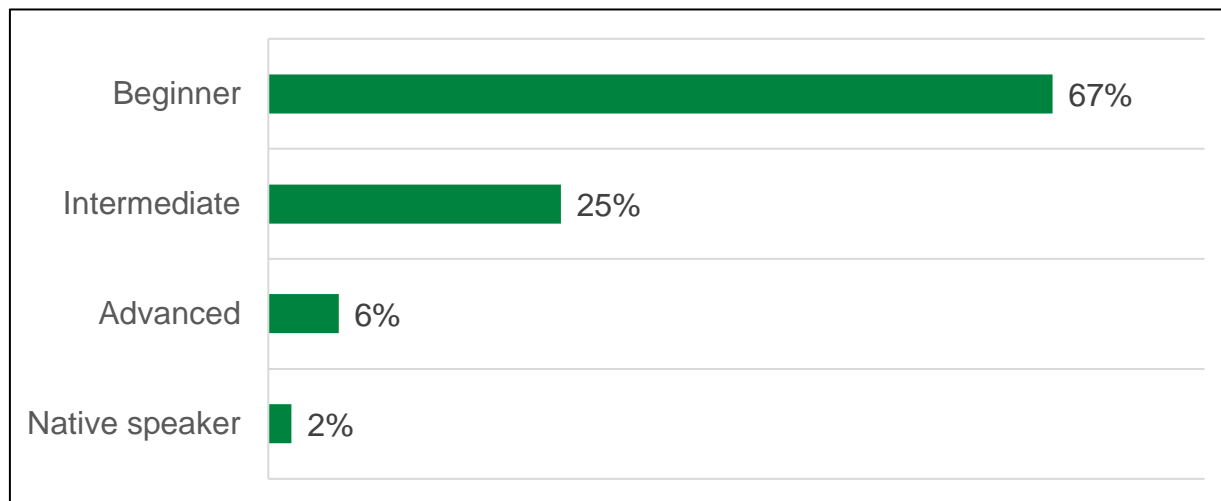
Note: Those respondents selecting Scotland for this question were routed to the end of survey as they cannot be classified as seasonal migrant workers.

Over half of the seasonal migrant workers were male (58%) while approximately two out of five (42%) were female. This finding relates to accounts that a growing proportion of workers are now female (see section 4).

The age of seasonal migrant workers who responded to the survey ranged from 18 to 62 years with an average of 33 years.

Two thirds (67%) of seasonal migrant workers described their level of English-speaking ability as beginner, while a quarter (25%) rated their ability as intermediate. Only 6% of migrant workers describe themselves as having advanced English-speaking ability and even fewer (2%) were native speakers (figure L.2). This finding supports the necessity of providing information to workers, and assistance to workers in a range of languages.

Figure L.2: Self-described level of English-speaking ability

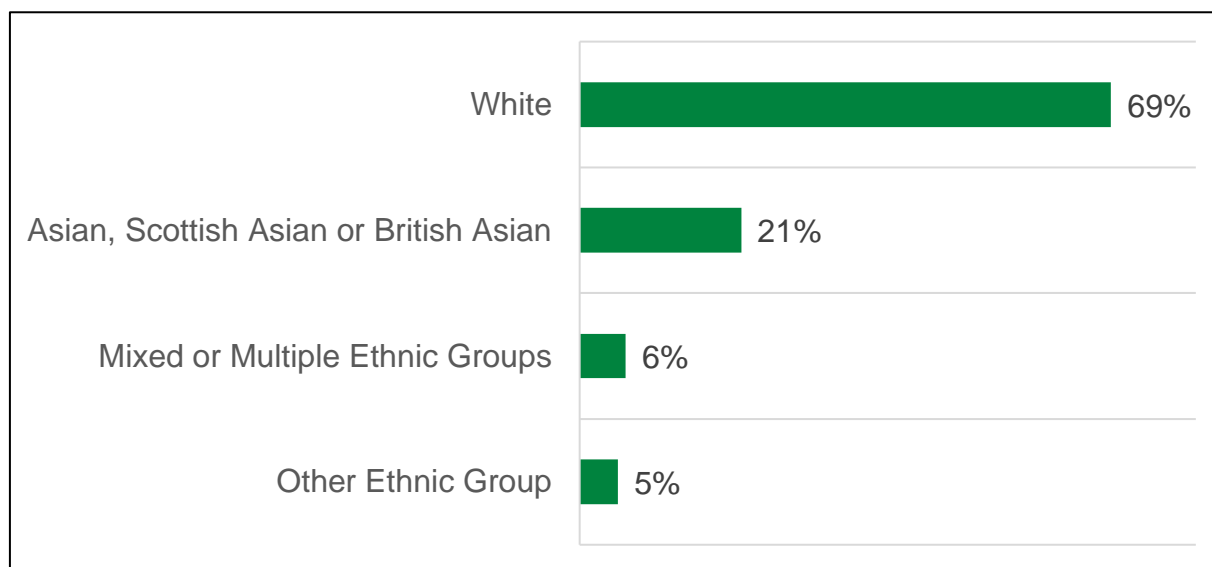


Q5. How would you describe the level of your English-speaking ability?

Base: n=400

Over two thirds (69%) of seasonal migrant workers described themselves as White (figure L.3). Other backgrounds include Asian, Scottish Asian or British Asian (21%) and Mixed or Multiple Ethnic Groups (6%).

Figure L.3: The ethnic groups of seasonal migrant workers



Q6. What is your ethnic group?

Base: n=399

The vast majority (97%) of migrant workers in Scottish agriculture were not limited because of a health problem or disability which has lasted or was expected to last at least 12 months. Only 2% of workers were limited a little whereas no migrant workers were limited a lot by a health problem or disability. This finding does relate to how employers and stakeholders described the tasks seasonal migrant workers conduct on the farms as hard work and manual work (see chapter 4).



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