



**Environment, Food
and Rural Affairs
Committee**

**David Neal
Independent Chief Inspector of Borders and Immigration
1st Floor, Clive House
70 Petty France
London. SW1H 9EX**

22 June 2022

Dear Mr Neal

The UK immigration system and the agricultural sector

Following your announcement of an inspection of the immigration system as it relates to the agricultural sector, the Committee would like to draw to your attention to its work on the immigration system and the agri-food sector.

The Committee has undertaken two inquiries on this issue recently, culminating in the following Reports:

- "[The UK's new immigration policy and the food supply chain](#)" (published 22 December 2020); the [Government response](#) was published on 14 May 2021;
- "[Labour shortages in the food and farming sector](#)" (published 6 April 2022); the Government response will be published on 23 June. It is referred to in this letter on a confidential basis until we have published the Government response. It will be available on our website at www.parliament.uk/efracom

Our conclusion

Our most recent Report found that the Government had not demonstrated a strong understanding of the issues facing farmers and others in the food supply chain, and even on occasion had sought to pass the blame onto the sector on the basis of incorrect information about its own immigration



Environment, Food and Rural Affairs Committee

system. The Committee said that the Government must radically shift its attitude and work together with the sector to devise solutions that speedily help address the problems it faced, in the short, medium and long-term to help the UK's food industry and enable it to thrive. We cautioned that failure to do so risked shrinking the sector and causing higher food inflation at the price of the UK's competitiveness, thereby making the country more reliant on food imports as we exported our food production capacity—as well as the jobs it supported—abroad.

Seasonal workers

One particular focus of our inquiries has been the Seasonal Workers Pilot (SWP), which is especially vital for the harvesting of crops such as soft fruits where there is no viable technological alternative to labour. In our April 2022 report, we expressed concerns that the Government planned to taper down the number of seasonal worker visas in 2024. Given the evidence we had heard, the Committee called for the Government to immediately release the optional 10,000 seasonal worker visas. We also called for the creation of an evidence base to determine if more visas should be issued, given the continued absence of a common methodology for measuring the aggregate number of seasonal workers, a point we have repeatedly highlighted.

In the [Government Food Strategy](#) published on 13 June, the release of the additional 10,000 seasonal worker visas was announced for 2022. Of these additional visas, 2,000 are ear-marked for the poultry sector for the next six months. Looking further ahead, the Government's response to our Report stated that "an evidence-based decision on the future of the [seasonal worker] visa route will be made in 2024". Defra said that it monitors seasonal labour market data "especially closely", working with the four operators of the Seasonal Worker visa scheme.



Environment, Food and Rural Affairs Committee

English language requirement for the Skilled Worker visa

Our latest Report highlighted the English language requirements of the Skilled Worker Visa, which we were told was a “hurdle” for many potential applicants in the sector, such as butchers. We called for a more tailored approach in this regard to support the food and farming sector, namely that the English language requirement should be immediately lowered.

The Government’s response rejected this proposal, contending that the existing requirement was the “most appropriate level” for skilled workers entering the UK. However, the Government noted that there is no English language requirement for UK workers and migrants with general work rights, such as those eligible under the EU Settlement Status scheme or the Ukrainian visa schemes.

The need for planning by Government

The Government’s reactive approach to labour shortages was of concern to the Committee. For example, the SWP was expanded in the Autumn of 2021 to include poultry workers, pork butchers and HGV drivers ahead of an expected increase in demand at Christmas. However, we heard that these measures were “too little, too late” and that the sector had warned the Government since the Spring of looming labour shortages. Defra told us it had been “waiting for the data” to confirm labour shortages before acting. In response, we called for the Government to make a step-change in how it engaged with the sector. We recommended that the Government-industry Food Industry Resilience Forum should meet monthly until at least the end of 2023, and that a senior Home Office official should attend.

In its response, the Government said it had no plans for similar temporary visa schemes to those implemented in Autumn 2021, notwithstanding the announcement this month for 2,000 poultry sector visas for the final few months of 2022 (again under the auspices of the SWP). Defra said that it monitored both “a range of data and intelligence sources” to understand



Environment, Food and Rural Affairs Committee

this labour market. It acknowledged limitations with existing datasets and said it would “take steps to improve its data collection”. The Government said it did not intend for the Food Resilience Industry Forum to meet regularly in response to labour shortages in the food and farming sector, but would instead “continue to engage with industry”. It added that the Home Office would attend Defra forums to engage on immigration issues when relevant.

The cost to businesses of using the immigration system

Our most recent Report also considered the cost to businesses of using the immigration system. We found that for a Skilled Worker visa, Home Office application fees are dwarfed by other costs such as recruitment, travel, and the Government’s Immigration Skills Charge and Immigration Health Surcharge. Employers often beared the full brunt of these costs.

We recommended that the Government should urgently consult with the sector to determine the additional costs that businesses face when applying for visas – however, the Government did not accept this recommendation and its response concentrated on the Home Office’s fees in respect of visa applications.

Farming within the wider food supply chain

The agricultural sector is only one part of the food supply chain, which is why both of our Reports looked at the whole “farm to fork” process.

For example, although a shortage of pig butchers has affected the processing sector, as our April 2022 Report highlighted a direct consequence is that pigs are unable to leave farms. This has led to overcrowding and in turn animal welfare issues, plus additional costs to farmers who have to feed pigs who continue to grow, meaning they exceed their contracted weight thereby reducing their value. By the start of this year, 35,000 pigs had been culled on farms, placing a high financial and emotional toll on farmers.



Environment, Food and Rural Affairs Committee

In addition to the overall shortage of workers in the food processing and abattoir sector as illustrated above in the pig sector, our December 2020 Report highlighted the reliance on overseas vets in the food supply chain. We were told that some 95% of Official Veterinarians (OVs) working on behalf of the Government to ensure animal health and welfare in meat processing plants and abattoirs were European Economic Area (EEA)-qualified nationals. We concluded that the example of the veterinarian sector highlighted the important role that overseas-trained employees undertake in the food supply chain, in this case working in roles that are attracting fewer UK-trained vets, who tend to more commonly move into clinical animal practice. A shortage of OVVs could have implications for the agricultural sector and food security, both in terms of the efficiency of the food supply chain and also the early identification of potentially catastrophic exotic infectious diseases (for example, the Foot and Mouth outbreak of 2001 was first identified by an OV working in an abattoir).

Our recommendation to the Migration Advisory Committee

We recommended that the Migration Advisory Committee (MAC) use its power to initiate its own inquiries to review the labour needs of the food and farming sector. The Chair of the MAC, Professor Brian Bell, [wrote to the Committee on 16 May 2022](#) stating it would generally expect that inquiries into particular sectors would be commissioned via the Home Secretary.

The Government said in its response to our Report that it “intends to commission the MAC to review the SOL [Shortage Occupation List] again later this year”. As we noted, the MAC submitted its most recent SOL review – undertaken at the Government’s request - in September 2020, although in October 2020 the Home Secretary said she did not accept any of its recommendations. We note that the SOL has yet to be fully reviewed since the new post-Brexit immigration system came into effect despite



Environment, Food and Rural Affairs Committee

widespread evidence of labour shortages in the sector and the wider economy.

Concluding remarks

In addition to our Reports, we have published the written and oral evidence for both our inquiries which might be a helpful resource for your work. This can also be found on our website at <http://www.parliament.uk/efracom>

I trust you will find this information helpful and that you will look into these issues as part of your inspection. If you have any questions about our work, in the first instance I would invite you to contact the Clerk of the Committee, Ben Williams, whose details are enclosed.

Yours,

Sir Robert Goodwill MP
Chair, Environment Food and Rural Affairs Committee