



Briefing: Seasonal agricultural worker tied-accommodation

The Worker Support Centre (WSC) is a charity working in partnership with migrant workers at risk of exploitation across Scotland to secure their rights, challenge labour exploitation, build collective power, and drive lasting law and policy change. We partner with workers who come to the UK to work in adult social care on the HCWV and those who come and pick our fruit, berries and vegetables on the SWV. The prioritisation of our casework is closely connected to risks articulated in the ILO [forced labour indicators](#), including: abuse of vulnerability; restriction of movement; isolation; intimidation and threats; and **abusive working and living conditions**.

Background: Seasonal agricultural worker accommodation

Workers on the UK Seasonal Worker Visa (SWV) are [almost all](#) housed in employer provided accommodation, encompassing caravans, portakabins or containers. Almost all have the accommodation payment as set out in the [Agricultural Wages Order \(AWO\)](#) or by [HMRC](#) of up to £10.66 per day or £74.80 per week automatically deducted from their pay. WSC encounters a wide range of problems with seasonal worker housing, including:

- Uninhabitable and unsafe accommodation
- Poor price-quality ratio
- High additional charges and penalties,
- Discrimination in accommodation provided, and
- Short-notice evictions and homelessness.

WSC's review of legislation in this area finds a significant gap with regards to seasonal worker temporary accommodation, which falls outside standards and enforcement regimes. There is also a lack of clarity about workers' status in relation to their accommodation; it is unclear whether they are tenants or occupiers and therefore whose responsibility it is to ensure accommodation is habitable and safe.

Seasonal worker experiences of accommodation

During 2025 WSC supported 550 individuals with issues related to the SWV. Of these 79 workers reported issues with their housing.

Accommodation issues span the following areas:

- **Uninhabitable and unsafe accommodation:** Damp and mould growth; excess cold; crowding and lack of space; lack of privacy and security – entry without notice - and surveillance; inappropriate non-residential



infrastructure used for housing; lack of hygiene, sanitation, or drainage facilities.

- **Poor price-quality ratio:** In line with the permitted deduction of £10.66 per day, the total rent for a single worker can reach £324 per month: where there are 4-6 people occupying a single unit, therefore this reaches £1297-1945 per unit per month. Accommodation charges are therefore around 20% of a worker's net pay.
- **High additional charges and penalties:** High additional charges are reported by workers for electricity, fuel, and services such as laundry or travel associated with accommodation that may mean workers' pay falls below the NMW. Workers also report penalties charged for untidy accommodation or broken items without there being provided an inventory upon entry.
- **Discrimination in accommodation provided:** SWV workers report being placed in a different standard of accommodation on farm sites to other workers, with one set of units for workers on the SWV and one set for non-SWV workers.
- **Short-notice evictions and homelessness:** Many of the workers that WSC supported with dismissal cases in 2025 also faced very short notice eviction from accommodation. We also supported people during this time that had become homeless as a result of short-notice evictions.

WSC supports workers to raise issues related to their accommodation with their employers and Labour Providers. We have also raised issues with Local Authorities, the Health and Safety Executive, the Agricultural Wages Enforcement Team, and the Gangmasters and Labour Abuse Authority. However, due to the absence of regulations or a responsible authority and the lack of worker's legal status in law, it is difficult to access redress.

Gaps in seasonal worker accommodation oversight

This overview summarises WSC findings from a review of accommodation regulation and relevant legislation carried out with support from legal specialists, coupled with data from our case reports made regarding poor housing to local authorities and enforcement authorities. This review indicates a total absence of regulation and oversight of temporary caravan accommodation by any UK national or local government authority.

The following regulatory and legislative gaps have been identified:

Absence of Local Authority Oversight

Housing oversight: Section 315 in the [Housing \(Scotland\) Act 1987](#) provides a statutory basis for local authorities to introduce byelaws setting out standards for seasonal worker housing. To date no byelaws have been instituted or implemented by any Scottish local authority despite this legal requirement. Nor



have local authorities have applied for or received a dispensation from Scottish Ministers to relieve themselves of the legal requirement in Section 315. The [Cabinet Secretary for Housing](#) has called for local authorities to implement this provision and introduce standards.

Caravan site oversight: [*The Caravan Sites and Control of Development Act 1960*](#) makes provision for Local Authority oversight of caravans, including adequate sanitary facilities. Local authorities license and inspect sites under this Act. However Schedule 1 of the Act exempts seasonal agricultural accommodation. Under the Act a local authority may request the power to license exempted sites from the relevant Minister. Angus Council is the only known local authority in the UK to have requested this power and has operated a licensing scheme since 2012. Angus Council licenses caravan sites in accordance with the [Model Standards for Residential Mobile Home Site Licenses](#). These Model Standards relate solely to site infrastructure including sanitation, layout and parking rather than the internal state of caravans. Recently reported issues by WSC to Angus Local Authority, related to uninsulated accommodation, with poor sanitary facilities provided on caravan sites in Angus, are still awaiting a response.

Houses in Multiple Occupation (HMO): HMOs are defined under the [Housing \(Scotland\) Act 2006](#). This applies to living accommodation for three or more persons who are not all members of the same family. However, it is dependent on whether the accommodation is considered 'mobile', how large they are and how long they have been there:

In Gordon v Kirkcaldy District Council 1990 SC 107 it was decided that static caravans were dwelling houses as they could not be towed. They had all been there for several years. If there is sufficient degree of permanence and immobility it is likely to be a house.

Under HMO licensing, a local authority can inspect a house and issue an amenity notice requiring the landlord to carry out repairs. The local authority can also impose a limit on the number of persons living in a HMO to reduce overcrowding. It seems as if temporary caravan sites housing seasonal workers are not being treated as HMOs by Local Authorities, and there is no evidence available of them being treated as such.

[Absence of wider enforcement authority oversight](#)

Gangmasters and Labour Abuse Authority (GLAA) [Licensing Standards](#) for food and farming sectors include in License Standard 4 requirements on the Quality of Accommodation provided. However, the GLAA has [recently indicated](#) it cannot pro-actively inspect farms as its standards apply to Labour Providers. WSC has previously reported issues related to crowded housing, and housing in a poor state of repair in tied accommodation in Scotland to the GLAA without reported action.



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Health and Safety Executive (HSE): HSE has responsibility under the [Health and Safety at Work etc Act 1974](#) for health, safety or welfare issues identified in work related premises. In response to a 2024 ITN investigation, HSE [stated](#) it views housing oversight as the role of Local Authorities. WSC has previously reported extreme cold, draughts or poor sanitation facilities in temporary accommodation to the HSE and has been directed towards Local Authorities for resolution.

Agricultural Wages Enforcement Teams (AWET): The Agricultural Wages Order enforced by the AWET references accommodation, sets a maximum rate for accommodation deductions at £10.66 per day yet states that accommodation deductions are not permitted if a Local Authority has deemed accommodation to be "[unfit for human habitation](#)". However, as outlined above, it is unlikely that any Local Authorities are inspecting accommodation to make such an assessment.

UK Visas and Immigration (UKVI) Compliance Unit: The [Immigration Rules for Sponsors of workers on the Seasonal Worker Visa](#) specify that visa sponsors should ensure that workers are: "housed in hygienic and safe accommodation that is in a good state of repair". So far no UKVI compliance reports have been openly published to detail what accommodation inspections have been carried out against which standards. It is understood that workers regularly raise accommodation issues during inspections, but the Home Office has [indicated](#) it falls within local government responsibility to address these issues.

Limits of Industry oversight

The Fresh Produce Consortium (FPC) Temporary Accommodation Guidance: The FPC is a trade association comprised of businesses across the fresh produce supply chain. The FPC produces [Temporary Accommodation Guidance](#) which as of 2024 is no longer publicly available to non-members. FPC [state](#) that this guidance is not intended to be an industry standard, but sets out legal requirements or good practice. Previous publicly available versions of the [Guidance](#) have been limited in ambition, for example setting a minimum single bed size below a standard single bed size, not requiring an inside toilet, and making no mention of insulation. These standards are industry developed, implemented and enforced.

Red Tractor Standards: The voluntary [Red Tractor Fresh Produce Standards](#) include the standard (PL.6) that 'Any temporary, on site accommodation provided must be habitable and have suitable basic services.' This standard is not detailed and does not specify whether basic services listed should be found inside units or elsewhere. They are also limited in ambition, only requiring heating in accommodation if used between 1 October and 31 March. Red Tractor is an industry led and implemented standard.