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EXPLOITATION, PRECARITY AND VULNERABILITY: SEASONAL WORKERS ON SCOTLAND'S FARMS

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Exploitation, precarity and vulnerability: seasonal workers on Scotland's farms

This SCGA Insight is distilled from a larger supervised student research project undertaken in 2025 in the GO Justice Centre of the School of Law. Under this tripartite GO Justice project model, an external partner organisation sets a research challenge and academic staff supervise and support law students to undertake work to respond to the challenge. This is an extra-curricular student opportunity. The external partner organisation is [Worker Support Centre](#) - a Scotland based charity that exists to promotes decent work and prevent exploitation - and the law academics are Dr **Catriona Cannon** and Professor **Maria Fletcher**.

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This piece has been produced jointly by the Worker Support Centre and the University of Glasgow School of Law.

Key Findings

The UK Seasonal Worker Visa scheme (SWV), a short-term labour visa route in the UK, is ostensibly beneficial to the UK economy and to foreign worker visa holders. However, despite regulations that seek to ensure fair wages and decent conditions of work, the lived reality is often very far from this.

In this Insight we evidence this with reference to two areas of particular concern: Pay (with a focus on Scotland) and Transfers (UK wide). On pay, there is a concern that workers are working significantly longer hours than they are being paid for and on transfers, there is a concern that transfer requests to different farms are being unfairly denied. Both issues raise genuine risks of labour exploitation, which occurs when an employer takes advantage of a worker's vulnerability, extracting work under conditions that violate human dignity, legal standards, or contractual agreements. The UK's seasonal worker visa scheme is structured by complex institutional and regulatory dynamics, poor data collection and sharing, and insufficient monitoring and **oversight**.

Recommendations

- Introduction of clear and accessible information for workers around pay and transfers
- Improved data-gathering and publication of data around the experience and operation of the SWV scheme
- Stronger and more effective enforcement and oversight of the entire SWV scheme, designed with worker welfare and a commitment to avoiding exploitation at its core
- Investment in third sector support organisations to ensure independent and effective support, advocacy and advice
- Meaningful, multi-stakeholder continuous review of short-term labour visa regimes that foreground human dignity and human rights

Introduction

The [seasonal worker visa \(SWV\) scheme](#) is a UK wide scheme that has operated since 2019 and continues to attract a high number of temporary foreign workers to UK farms each year. The scheme was designed to attract temporary foreign labour to fill gaps in the horticulture and poultry industries during peak times. Although the scheme may address labour shortfalls in the market, workers on the SWV are vulnerable to exploitation.

Drawing on a range of sources, including evidence collected by the Worker Support Centre (WSC) - a Scotland based charity that aims to promote decent work and prevent exploitation - this SCGA Insight highlights the rules around and the practical reality of two key areas of concern to the WSC: payment of wages, with a particular focus here on payment for work on Scottish **farms**, which, unlike in England, is regulated by an Agricultural Wages Board; and the handling of requests to transfer **between farms**, which is governed by UK wide rules.

(Under)payment of Wages: The Use of Piece Rates

Payment of Wages in Practice - a Scottish focus

Workers on the SWV scheme are employed by the farms which are, in turn, responsible for paying their wages. Home Office guidelines stipulate that workers on the SWV scheme must be given a minimum of 32 hours of work per week and paid according to minimum wage rates ([UK Home Office, 2025](#)).

Unlike in England where rates for workers on the SWV scheme are regulated by the National Minimum Wage ('NMW') Act and Regulations, the rules for payment of agricultural workers on the SWV scheme in Scotland can be found in the Agricultural Wages Scotland Order 2025 (the 'AWO'). The AWO is much shorter than the NMW Act and Regulations, and there is a lack of detail regarding how pay and working time **should be calculated**.

There is a concern that workers on UK farms are working significantly longer hours than they are being paid for. This issue in Scotland arises primarily from the use of piece rates in the agricultural sector. Rates are assigned to products and workers earn a wage based on the quantity of produce they can pick in a certain timescale. For example, some products have very small value assigned to them. It is unlikely that a worker picking low value product for one hour would pick enough to equate to **£12.21, which is the current agricultural minimum wage**.

It is difficult to evidence any breach of the agricultural minimum wage. The time spent picking tends not to be recorded on payslips, only the amount picked. Further there is no definition in the AWO of what is included as 'working time' in the agricultural context. It is suspected, as observed on payslips reviewed, that workers are only paid for what they pick. Any other work they perform such as cleaning crates or other maintenance jobs may be going unpaid (see discussion of the findings of a review of payslips conducted by the WSC in [Worker Support Centre, Time to Make Work Pay](#), 2025). Concerns have also been raised that workers are spending hours on the farms collecting equipment and/or waiting to be assigned tasks, to be transported to the

fields, or for all workers to finish picking to be transported back to their accommodation. Some workers do receive a 'top-up' payment on their payslips when they have not picked enough to earn the agricultural minimum wage for 32 hours: it is unclear, however, if this 'top up' remunerates workers adequately for all work undertaken, including any non-picking activities. Some employers also appear to use holiday pay as a top up mechanism.

Payment of Wages and Worker Wellbeing: Comparative Reflections

When seeking ways to better protect seasonal agricultural workers in Scotland, examining practices in other countries offers valuable insights. Our research looked at schemes in England, New Zealand, Canada, and Australia, revealing a mixed bag of regulatory approaches but also highlighting remarkably similar challenges faced by workers globally.

In England, piece rates are regulated more strictly than Scotland, using a formula intended to ensure even slower workers are paid the national minimum wage. However, there are reports that seasonal workers in England paid by piece rate are not always paid for everything they pick and that additional cleaning tasks are not always paid ([FLEX, 2024, 21](#)). This effectively reduces workers' real hourly wage and creates hidden unpaid labour.

New Zealand stands out for its robust enforcement. Employers face stringent requirements for detailed record-keeping of all hours worked and wages paid ([Employment Relations Act 2000, s130](#)), backed by government audits and inspections with significant penalties for non-compliance (see [V Baakman, 2024](#)). Despite these strengths, the practice of piece rates permitted in New Zealand has led to claims of exploitation ([Stringer and Michailova, 2019, 13-14](#)) and maintaining such a rigorous enforcement system requires substantial government resources.

Canada's long-running Seasonal Agricultural Worker Program utilizes a standardized contract signed by the worker, employer, and a liaison officer from the foreign government ([Government of Canada, Hire a temporary worker](#)). While minimum hourly wages are set (varying by region/produce) ([Government of Canada, Wages by agricultural commodity](#)), piece rates are still common practice and, like in Scotland, issues arise, particularly in provinces like British Columbia where hourly minimum wage isn't always guaranteed under piece work ([Fairey and Weiler, 2023](#)). The key takeaway here is the potential benefit of standardized contracts and documentation for clarity and oversight.

Australia's Pacific Australia Labour Mobility (PALM) scheme places a strong emphasis on worker well-being. Employers must meet strict criteria and workers are assigned support officers for regular check-ins ([PALM, Frequently asked questions](#)). Pre-departure training on rights and accessing support is also provided ([PALM, Worker support](#)). While piece rates are permitted, a minimum hourly wage guarantee exists. However, challenges persist, including considerable deductions for costs like accommodation ([Moolchand and Marshall, 2025, 32-33](#)).

Despite these varied systems, a clear pattern emerges: the fundamental issues of potential exploitation through piece rates, unrecorded working time, and unfair deductions are widespread. No system is perfect, and the vulnerability of temporary migrant workers remains a global concern.

Forging a Path Forward: Pay and Protections

Several key steps emerge as crucial for improving the situation for seasonal workers in Scotland and addressing systemic underpayment:

Evidencing underpayment

To help ensure workers are paid a fair wage for the work they do, workers ought to be given a tool to log their hours worked and the specific tasks completed. A tool suitable for such use would be waterproof, durable and incorporate GPS functions. If workers could accurately capture their working time, this could be compared to the work shown on pay slips or any time sheets kept by the farmers to evidence underpayment. **Evidencing underpayment is the first step in advocating for the need for change.**

Overhaul the Wage System

The most fundamental issue, as we can see across jurisdictions, is the vulnerability inherent in piece-rate pay. While regulation (England) helps, and guaranteeing minimums (Australia) is better, exploitation persists. The clearest recommendation is to abolish piece rates entirely for SWV holders, mandating a fair hourly wage for all time spent working. This includes explicitly defining 'working time' to encompass activities beyond picking, such as waiting, travel between fields, setup, and essential farm tasks.

Implement Robust Enforcement

Relying on workers to report issues is insufficient. Scotland needs a stronger, proactive enforcement regime, inspired by New Zealand. This means shifting the burden of proof to employers to demonstrate compliance through meticulous, accurate record-keeping of all hours at the employer's disposal. Regular, independent audits and workplace inspections with meaningful penalties for non-compliance are essential to create a credible deterrent.

Standardise Documentation

Following Canada's lead, introducing standardized contracts, timesheets, and payslips for all seasonal workers would enhance transparency. This simplifies understanding for workers (especially those unfamiliar with UK systems) and makes monitoring and enforcement easier for regulatory bodies.

Prioritise Worker Welfare and Support

Drawing from Australia's PALM scheme, a greater focus on worker well-being is needed. This includes providing dedicated support officers committed to safeguarding worker welfare, requiring employers to implement welfare and well-being plans, establishing an accessible support service line, and crucially, providing pre-arrival training to all workers on their rights and how to access help in the UK.

By combining stricter regulations, particularly around how wages are calculated and ensuring all work time is paid, with proactive enforcement and robust support systems,

Scotland can take meaningful steps towards ensuring seasonal agricultural workers are treated fairly and protected from exploitation.

Transfer Requests and Sponsorship Failures

A Flawed Transfer Process

The Home Office is responsible for the operation of the Seasonal Worker Visa route, including licensing, the visa process and subsequent compliance-related activity related to holding a sponsor licence. All SWV holders are theoretically allowed to move from one farm to another but only within the network of farms tied to their sponsoring organisation (called Scheme Operators).

[Home Office guidance for SWV Scheme Operators](#) which is equally applicable across the UK, stipulates that Scheme Operators “must establish a clear employer transfer pathway, including transparent criteria for making a transfer request and a process for considering such requests.” **According** to the guidance, transfers should not normally be refused “unless there are significant reasons not to permit this.” This mechanism is designed to protect against unfair treatment or underemployment but, in practice, transfer requests are frequently denied (See [here](#) p94 and [here](#) p15).

Farms may cite a “lack of available capacity” (i.e. the requested farm not needing additional staff) or, more problematically and as reported by workers, a fear of disclosing real reasons or a [disbelief](#) in the reasons given by a worker for seeking a transfer - which might include experiencing exploitative conditions or insufficient hours. The trend of refusal suggests a prevailing culture of disbelief of workers in the system where their accounts are not taken at face value, and their reasons for seeking a transfer are frequently met with scepticism. This not only undermines the purpose of a transfer mechanism but also contributes to patterns of unfair treatment and arbitrary refusals.

When a transfer is refused, the worker is left in a precarious position: they can either stay and endure the current situation or face losing their job (and therefore, their visa). Due to the SWV tying a worker’s legal status to the Scheme Operator, the worker cannot unilaterally find a new job - any change must be facilitated by the Scheme Operator, or the worker will fall foul of immigration rules by working elsewhere.

Home Office guidance to Scheme Operators mandates a clear process for workers to raise concerns, and workers should follow their specific Scheme Operator’s transfer application **procedures**. There is, however, no formal, internal appeal mechanism if a transfer is **refused**. And while technically there may be a legal avenue to pursue a discrimination claim should the refusal be based on a protected characteristic, and the worker (or an advocate for them) might notify the Home Office’s Sponsor Compliance team about an individual case, these are not realistic avenues to **justice**. It would be highly unlikely for the Home Office to intervene in an individual case, and bringing a claim for discrimination is unrealistic given the short-term nature of the SWV and the often lengthy and complex legal processes involved. In their advocacy work, WSC have received advice from the Home Office that any treatment pertaining to worker welfare can be reported to the ‘report an immigration crime’ portal. This advice,

however, is not followed because requested information on how this process would safeguard the workers has yet to be **provided**. Workers who think they have been unfairly denied a transfer have little option but to accept the decision.

No Sponsorship, No Options

A SWV holder is in a particularly vulnerable position should their Certificate of Sponsorship (CoS) be revoked, whether this comes about due to the Scheme Operator's licence revocation or because their contract was terminated (for whatever reason). Scheme Operators can have and [have had their licences revoked](#) by the Home Office should they fail to comply with their obligations, including it is understood, around worker welfare (though the Home Office does not publish its reasons for **revocation**). If a Scheme Operator loses its license, the sponsored workers lose their legal right to stay in the UK.

The information that is available to workers suggests that the most likely scenario is that they will have to leave the UK unless they are able to successfully make a new visa application to stay in the UK. The workers have 60 days to find a new Scheme Operator to sponsor them or alternatively return home. There is no guarantee of reassignment to another Scheme Operator and there is no system of support to manage such situations. It is known from support organisations - who are often a first point of contact for worried and desperate SWV holders- that in practice workers are transferred to alternative Scheme Operators in this **scenario**. However, the absence of clear guidance and support around this process causes undue harm and places an **already marginalised group at serious risk of destitution and exploitation**.

Enforcement and compliance: An Inadequate Home Office

The Home Office, which oversees the SWV scheme, bears much of the responsibility for the scheme's shortcomings. While it actively sets visa quotas and issues sponsor licences and compliance conditions for Scheme Operators, its role in enforcement and compliance is in practice less clear. Enforcement and compliance are shared across different actors - such as UKVI, [DEFRA](#), Health and Safety Executive, Local Authorities, Agricultural Wages Enforcement Team and the [Gangmasters and Labour Abuse Authority](#) - meaning no single body is clearly accountable, undermining effective **enforcement and rendering reform efforts difficult**.

Compliance visits are aimed at helping to identify problems, but they are [inconsistently conducted and poorly followed up](#). Scheme Operators and farms receive little to no feedback from inspections, despite concerns being raised. Furthermore, the Home Office does not collect or publish important data, making accurate evaluations of the **scheme nearly impossible**.

DEFRA conducts and publishes an [annual survey of workers](#) on the Seasonal Worker Scheme. WSC, other worker interest organisations and trade unions (eg [SWIG](#)) deem these surveys and the data they produce to be unreliable due to methodological concerns; primarily that the surveys are shared with workers through the Scheme Operators.

Overall, despite detailed guidance, the scheme lacks any effective enforcement mechanism. Rather there is a web of competing government-linked actors who face little scrutiny and hold limited accountability to one another.

Forging a Path Forward: Proposed Reforms

From our research, we propose a series of reforms to alleviate the issues for workers under the scheme:

Enhance Legal and Practical support

Seasonal workers need clearer guidance on their rights - in multiple languages - along with dedicated support officers, like those offered under [Australia's PALM scheme](#). Awareness of their rights and support systems are crucial.

More clarity and support around Sponsorship Loss

Guidance and more clarity around this process is urgently required. This should include an explicit and guaranteed commitment to a supported pathway to reassigned work for every individual worker. Good practice can be borrowed from [Canada, New Zealand, and Australia \(page 95\)](#) who have a process in place to manage situations where workers need to leave the scheme (or change employers) due to welfare issues such as exploitation, or who lose their job. New Zealand has a Migrant Exploitation Protection work visa which allows workers to move to another employer in cases of exploitation. Investment in frontline not for profit worker support services, such as the WSC, would also signal a meaningful commitment on the part of the state to ensure that it is not complicit in facilitation of destitution and exploitation.

Improve Home Office Oversight and Investment in Effective Enforcement

The Home Office should redouble efforts to monitor outcomes, conduct meaningful audits, and penalize sponsors falling below welfare standards. Greater transparency around these areas as well as data on transfers and revocations would help build much needed accountability in the system.

Independent centrally managed application process

The WSC has previously recommended that 'Defra and the Home Office should establish an independent, centrally managed application process for transfers with clear criteria for transfer requests, so that workers can move between farms and Scheme Operators'. They have, further, recommended that 'Home Office guidance should clarify who is responsible for paying workers during transition periods, as well as responsibility for any transfer costs (transport etc.)' ([Seasonal Worker Interest Group, Protecting workers on the UK's Seasonal Worker Scheme: A call to action for the next government](#)).

Concluding thoughts: The Future for Seasonal Workers

On paper, the SWV scheme appears to offer mutual benefits: the agricultural sector (qua the state economy) needs and gets seasonal low-skilled labour, and workers gain access to (what for them is) a potentially lucrative source of income. In fact, proponents of any temporary labour migration programme would claim that it is a [‘triple win’](#), also including the benefit to countries of origin who are very often in receipt of **remittances**. However, in practice, this illusion of equal benefit gives way to a stark power imbalance, where workers are vulnerable to and experience poor working (and living) **conditions and exploitation**.

Recognising this imbalance is the first step towards much needed reform. This short SCGA Insight has focussed on just two aspects of the SWV scheme that are of particular concern to the WSC - payment of wages (with a focus on the situation in Scotland) and transfer requests. In each case, specific reforms have been proposed. In essence, these reforms are about clear and accessible information for workers; improvements to upholding worker welfare to ensure that the reality lives up to the promised rhetoric; and much stronger and more effective enforcement and oversight of the entire SWV scheme.

With serious political buy-in, these improvements could help to create a fairer and more sustainable model of temporary migration in the short term. In the long run, however, for WSC, a more humane system is desperately needed. Like many other similar support organisations who see the human cost of short-term labour visa regimes around the world, they are clear that a longer-term goal must be to ensure all migrants are entitled to equal labour rights and have access to secure and long-term **pathways to settlement**.

References

V Baakman, 'Records you do not want to break ...' (Saunders, Robinson, Brown, 4 March 2024), available at <<https://srblaw.co.nz/news-and-articles/records-you-do-not-want-to-break>> (last accessed 25 June 2025).

D Fairey and A Weiler, 'It's 2023. BC Farm Workers Deserve Basic Minimum Wage Guarantees' (The Tyee, 26 Jan 2023), available at <<https://thetyee.ca/Analysis/2023/01/26/Farm-Workers-Deserve-Basic-Minimum-Wage/>> (last accessed 25 June 2025).

FLEX, 'Not here for the weather: Ensuring safe and fair conditions on the UK's Seasonal Worker Scheme' April 2024, available at <<https://labourexploitation.org/publications/not-here-for-the-weather-ensuring-safe-and-fair-conditions-on-the-uks-seasonal-worker-scheme/>> (last accessed 25 June 2025).

Government of Canada, 'Hire a temporary worker through the Seasonal Agricultural Worker Program: Program requirements', available at <<https://www.canada.ca/en/employment-social-development/services/foreign-workers/agricultural/seasonal-agricultural/requirements.html#sawp-contract>> (last accessed 25 June 2025).

Government of Canada 'Wages by agricultural commodity', available at <<https://www.canada.ca/en/employment-social-development/services/foreign-workers/agricultural/agricultural-wages.html#h2.6>> (last accessed 25 June 2025).

E Moolchand and S Marshall, 'Meat the Reality: Unpacking the Exploitation of PALM Scheme Workers in Australia's Meat Industry' (RMIT University, Business and Human Rights Centre, (February 2025), available at <<https://www.rmit.edu.au/news/bright/exploitation-of-palm-scheme-workers-in-australia-meat-industry>> (last accessed 25 June 2025).

PALM, 'Frequently Asked Questions', available at <<https://www.palmscheme.gov.au/faq>> (last accessed 25 June 2025).

PALM, 'Worker support', available at <<https://www.palmscheme.gov.au/worker-support>> (last accessed 25 June 2025).

Seasonal Worker Interest Group, 'Protecting workers on the UK's Seasonal Worker Scheme: A call to action for the next government', June 2024, available at <https://workersupportcentre.org.uk/wp-content/uploads/2024/06/240604_UK-seasonal-worker-scheme_WIG-briefing-for-the-next-government_FINAL.pdf> (last accessed 21 August 2025)

C Stringer and S Michailova, 'Understanding the Exploitation of Temporary Migrant Workers: A Comparison of Australia, Canada, New Zealand and the United Kingdom, Report prepared for the Ministry of Business, Innovation and Employment, July 2019, available at <<https://www.mbie.govt.nz/dmsdocument/7110-understanding-the-exploitation-of-temporary-migrant-workers-a-comparison-of-australia-canada-new-zealand-and-the-united-kingdom>> (last accessed 25 June 2025).

‘Exploiting the Opportunity? Low-Skilled Work Migration After Brexit’, Migration Observatory at the University of Oxford, 30 August 2018, available at < <https://migrationobservatory.ox.ac.uk/resources/reports/exploiting-the-opportunity-low-skilled-work-migration-after-brexit/>> (last accessed 25 June 2025)

UK Home Office, Workers and Temporary Workers: Guidance for Sponsors: Sponsor a Seasonal Worker, updated 9 April 2025, available at < <https://www.gov.uk/government/publications/workers-and-temporary-workers-guidance-for-sponsors-sponsor-a-seasonal-worker/workers-and-temporary-workers-guidance-for-sponsors-sponsor-a-seasonal-worker-accessible-version> > (last accessed 25 June 2025).

Worker Support Centre, Time to Make Work Pay, 12 March 2025, available at < <https://workersupportcentre.org.uk/time-to--make-work-pay/>> (last accessed 24 July 2025).