

The Right Honourable Priti Patel MP, Secretary of State for the Home Department  
Kevin Foster MP, Minister for Safe and Legal Migration

9 March 2022

Dear Madam or Sir,

**Seasonal Worker Visa: visa changes, support, and information available to Ukrainian nationals on the SWV**

We write in the context of our membership of the Home Office's Vulnerability Advisory Group and the work by the group to highlight risks of exploitation on the Seasonal Worker Pilot (SWP) and Seasonal Worker Visa (SWV) for agricultural workers.

As you know there is a significant body of evidence documenting risks of exploitation on the SWV.<sup>1</sup> Concerns have been raised by Vulnerability Advisory Group members and elsewhere on the need to ensure adequate and effective inspections and monitoring of working conditions as well as effective complaint mechanisms for workers on the scheme. It is in this context that we write to request that proactive steps are taken urgently, if they are not already in place, for workers on the scheme who are Ukrainian nationals to mitigate additional risks to them and their families as a result of the conflict in Ukraine. We note that the conflict is likely to affect many workers in the UK on the scheme given that from January to December 2021 67% of issued SWVs were to Ukrainian nationals.<sup>2</sup>

We are aware that Ukrainian nationals in the UK on the SWV scheme will have their visas extended until 31 December 2022 on their behalf by the Home Office together with their employer.<sup>3</sup> We are keen to know what information and specialist immigration advice is being offered directly to workers, in Ukrainian, in conjunction with this offer. As you will appreciate it is vital that workers understand and are supported to make decisions on the best immigration options for their own personal circumstances.

We are also keen to understand what changes will be made to the conditions of the SWV to accommodate the changed circumstances of Ukrainian SWV holders who may need to bring their families to safety in the UK. However, the SWV does not permit dependants, and the Ukrainian Family Scheme fails to cover Ukrainian SWVs to sponsor immediate and extended family although they may be anxious to be reunited with family members fleeing Ukraine.

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<sup>1</sup> Assessment of the risks of human trafficking for forced labour on the UK Seasonal Workers Pilot, March 2021, FLEX <https://labourexploitation.org/publications/assessment-risks-human-trafficking-forced-labour-uk-seasonal-workers-pilot>

Seasonal Workers Pilot review, 2019, DEFRA, Home Office, published December 2021

<https://www.gov.uk/government/publications/seasonal-workers-pilot-review/seasonal-workers-pilot-review-2019>

Dame Sara Thornton raises concerns over labour exploitation risk for migrant workers in the agricultural sector, January 2022 <https://www.antislaverycommissioner.co.uk/news-insights/iasc-raises-concerns-over-labour-exploitation-risk-for-migrant-agricultural-workers/>

<sup>2</sup> <https://www.gov.uk/government/statistics/immigration-statistics-year-ending-december-2021/why-do-people-come-to-the-uk-to-work>

<sup>3</sup> UK Visas and Immigration and Home Office, 'UK visa support for Ukrainian nationals' last updated 4 March 2022 [https://www.gov.uk/guidance/support-for-family-members-of-british-nationals-in-ukraine-and-ukrainian-nationals-in-ukraine-and-the-uk?utm\\_medium=email&utm\\_campaign=govuk-notifications-topic&utm\\_source=841b1ffe-0cea-4635-a015-c94b8fe68434&utm\\_content=daily](https://www.gov.uk/guidance/support-for-family-members-of-british-nationals-in-ukraine-and-ukrainian-nationals-in-ukraine-and-the-uk?utm_medium=email&utm_campaign=govuk-notifications-topic&utm_source=841b1ffe-0cea-4635-a015-c94b8fe68434&utm_content=daily)

There should be recourse to public funds for these workers as well as increased work options given that the very seasonal nature of the work for which they entered the UK could mean that there is not sufficient ongoing work available from the same sponsor, or even in the same sector. The accommodation or other conditions locally may not be suitable for workers who may have family, including children or other dependents, with them.

We urgently request that the Home Department consider these issues and make relevant policy concessions in order to safeguard Ukrainian Seasonal Workers.

Yours sincerely,

Kate Roberts, Focus on Labour Exploitation (FLEX)  
Zoe Bantleman, Immigration Law Practitioners' Association (ILPA)  
Caitlin Boswell, JCWI  
Matthew Creagh, Trades Union Congress  
Jasbindar Bhatia, Rights of Women  
Anne Stoltenberg & Nazek Ramadan, Migrant Voice