

VISION FOR THE FUTURE OF FARMING



ACCESS TO A COMPETENT AND FLEXIBLE WORKFORCE

Delivering for farmers and for the public

INTRODUCTION

The issue of immigration has loomed large in the debate over the UK's membership of the EU. Following the decision to leave that was taken in the referendum of June 2016, we will soon establish new arrangements for controlling our borders, based on an expectation that immigration into the UK will ultimately be reduced.

The agricultural and horticultural sectors, and indeed the wider food industry, will find themselves particularly impacted by these changes. Farming relies on a large number of overseas workers, primarily from the EU, who have been able to come to the UK and take up work – both seasonal and permanent – under the principle of free movement of labour within the Single Market. With Brexit that movement will be curtailed. But it is critical that farming's ability to produce a safe and affordable supply of food here in the UK is not similarly reduced.

There are a number of aspects to this challenge. We will continue to look at ways of improving the efficiency and productivity of our industry, harnessing technology and where possible adopting automated processes which reduce the reliance on labour. We will continue to work with other organisations in improving the appeal of agriculture as offering a high-skilled, enjoyable and well rewarded career path, attracting more of our domestic workforce. But we will also continue to press the case for access to a competent and flexible workforce that meets the needs of a diverse farm sector that has significant requirements for both permanent and seasonal labour, and for higher and lower-skilled workers. Much of this is currently met from outside the UK, and that will remain the case in the foreseeable future.

In this report, the third in our series of papers setting out our Vision for the Future of Farming as the UK leaves the EU, we examine the topic of labour in detail. It sets out our current understanding of the industry's workforce requirements, the issues that need to be addressed in light of Brexit and the establishment of new immigration arrangements, and how we envisage maintaining the industry's labour requirements in the future. Together with securing free and frictionless trade with our key export markets, designing a new domestic agricultural policy to support farmers and growers, and ensuring regulatory system that enables productive farming, this will ensure agriculture and horticulture in the UK have a bright future.

WHY OVERSEAS LABOUR MATTERS TO THE FOOD AND FARMING SECTOR

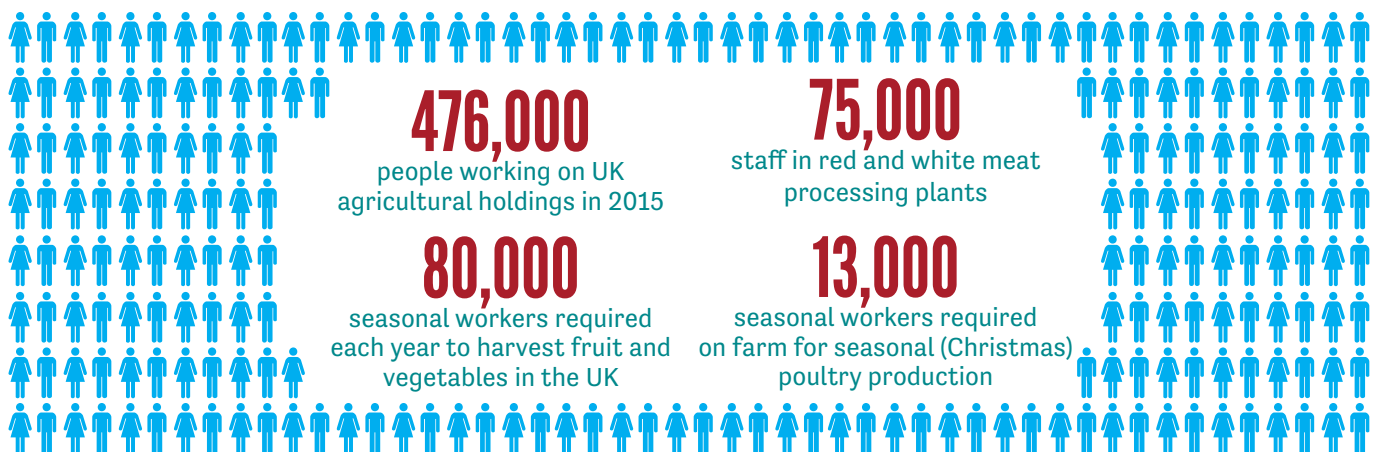
Agriculture provides the bedrock for the UK food and drink sector, the largest manufacturing sector in the UK. A substantial proportion of the agricultural workforce, whether seasonal or permanent, is made up of non-UK nationals, and continued access to this overseas supply of labour is critical.

It is challenging to accurately measure the number and proportion of non-UK nationals working in agriculture and horticulture, with varying estimates from a number of different sources. Data from the Office for National Statistics (ONS) for example has limitations in that it doesn't include seasonal workers or those workers living in communal accommodation. Indeed, we have been pressing the Home Office to instruct the Migration Advisory Committee (MAC) to establish a clear and accurate picture of current labour force statistics in the sector, and we are pleased that the government has confirmed the MAC is reviewing the industry's labour requirements.

The NFU will continue to gather information ourselves to measure the proportion of non-UK nationals employed in agriculture and horticulture, and the following information on both seasonal and permanent workers is based on initial estimates.

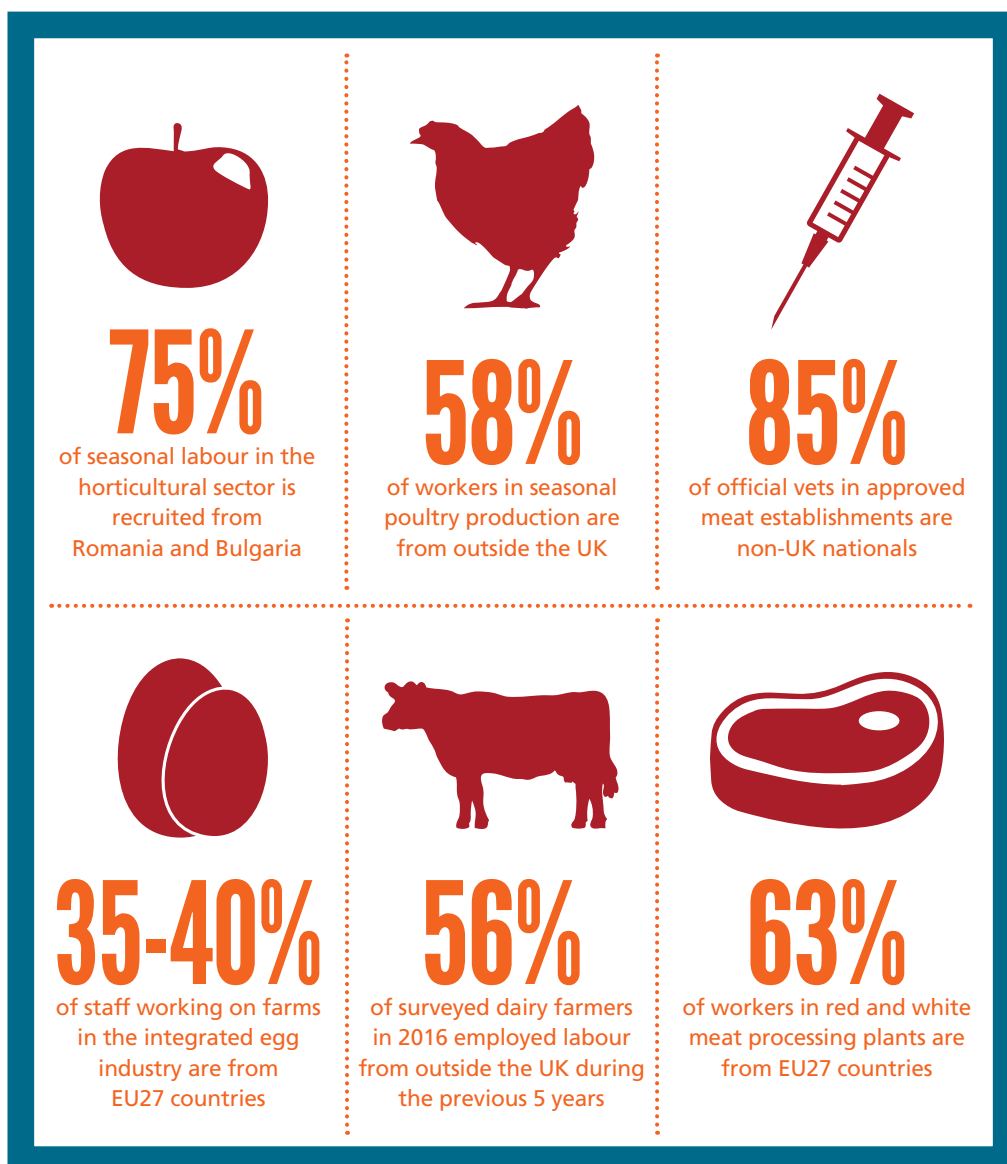
According to Defra's 2015 figures there are 476,000 people employed on agriculture holdings across the UK. Of these, they estimate 67,000 are seasonal, although we believe that is a significant underestimate. Industry research shows that the horticulture sector alone needs 80,000 seasonal workers a year to plant, pick, grade and pack over 9 million tonnes and 300 types of fruit, vegetable and flower crops in Britain. Approximately 75% of the UK's seasonal horticultural workforce workers are recruited from Romania and Bulgaria (A2 countries) and the remainder largely from Poland and other A8 countries (Eastern European countries who joined the EU in 2004). In addition to this, the poultry industry has found that it needs around 13,000 seasonal workers in the seasonal period (Christmas) primarily in the processing of turkeys, and a majority of these (58%) would be from outside of the UK.

UK AGRICULTURAL WORKFORCE BY NUMBERS



According to the ONS in 2016, 11% of total employment in the agriculture, forestry and fishing sector was from outside the UK with 7% of this from the A8. Applying this proportion to the Defra figures for permanent workers provides a rough estimate that around 28,630 permanent workers in the sector may be from the A8. However, some sectors have a much higher dependency on permanent workers from the EU, including the pig and poultry meat sectors, as well as the egg sector where estimates show that around 35- 40% of the permanent workforce on farm in the integrated egg industry are EU nationals. Furthermore, a survey by the Royal Association of British Dairy Farmers in 2016 showed that 56% of dairy farms employed labour from outside the UK during the previous 5 years.

NON-UK LABOUR IN THE AGRI FOOD INDUSTRY



It is worth noting that any potential reduction in labour supply is an issue that extends well beyond the farm gate, with EU nationals widely employed throughout the supply chain. Figures from the Migration Observatory, using ONS data, show that in 2015 non-UK nationals accounted for 41% of the workforce in food manufacturing. This was the highest percentage of any sector. Of these, 15% were recent migrants, again the highest for any industry.

Looking at just meat processing plants the total workforce is around 75,000 – a labour force which adds significant value to the product and helps increase farmgate prices. Of this around 63% are from the EU27 countries (primarily, but not exclusively, from Central and Eastern Europe), though this figure masks the many plants with as many as 70% or even 80% of the workforce coming from the EU. Equally crucial to this value, the Food Standards Agency estimates that approximately 85% of official veterinarians carrying out official controls in approved meat establishments are from other EU countries. It is clear that a whole supply chain solution is needed to ensure the agri-food sector has access to the skills and labour it needs.

Immigration and the free movement of people within the EU have been key aspects of the Brexit debate, and the government's desire to adopt more effective systems to manage immigration will continue to be a sensitive and high-profile topic in the coming months. Creating an immigration system that recognises and meets the specific requirements of the agricultural and wider food industries will be critical if farming is to continue to deliver the irreplaceable services it provides to the British public:

- We deliver for the wellbeing of the nation, providing a traceable, safe and affordable domestic supply of food, which the public trusts. If we undermine our food security by reducing our capacity to produce food at home, we instead rely on imports produced to different environmental and welfare standards and under food safety systems over which we have little or no control.
- We deliver for our environment, caring for our cherished local countryside and the environmental benefits the public value. Farmers are proud to be responsible for the upkeep of over 70% of the UK landmass, which remains feasible only as long as they run viable businesses.
- And we deliver for our economy, both in rural communities and nationally. Farmers deliver the raw materials for a domestic food industry that employs over 3.8m people and which, as the UK's largest manufacturing sector, generates £109bn in value for the UK economy.

This is why the Government has a legitimate interest in keeping the health and vitality of UK farming at the forefront of its thinking as it negotiates our future relationship with the EU and develops plans to control immigration.

KEY ISSUES IN MEETING UK FARMING'S LABOUR NEEDS

Access to labour is a multi-faceted issue, and we recognise that the current challenges farmers and growers face in meeting their labour needs will not simply be overcome by continuing to source workers from abroad. Both increasing the supply of labour from the domestic workforce, and identifying ways of improving efficiency, for example through more automated systems, can help agriculture continue to grow now and after Brexit. However, there are good reasons why access to a reliable and competent source of labour from outside the UK will continue to form a very important part of the picture. Below we examine some of these issues in more detail.

Domestically sourced labour

Farmers and growers do try and employ local labour. Many regularly advertise vacancies through local job centres, the internet and place advertisements in the local press in an attempt to recruit local candidates. However, despite these efforts the response from the local population is often poor with either a failure to respond to adverts, or when individuals do turn up, they frequently fail to stay on.

Two reasons stand out. The first is British nationals generally are not attracted by many aspects of agricultural work, where it is sometimes unfairly seen as poorly paid, low skilled work lacking career prospects. This, combined with long hours in remote locations and involving physical work, means that many look for work elsewhere. This is particularly the case with regards to seasonal work and permanent jobs in some sectors such as the pig industry.

The second is that most farm businesses are located in rural areas with low unemployment – there simply aren't enough people available to fill the vacancies. With the UK employment rate at 4.6% (the lowest rate since 1975), there is a big gap between the scale of the demand and the number of people looking for work.

The industry remains keen to work with Government to attract more UK workers. For instance, in 2013 the horticulture sector and the Department for Work and Pensions ring-fenced 200 seasonal jobs, across 18 farms for UK workers. 130 successfully completed the course and passed the interview and were given their guaranteed job offer. 65 of the UK workers dropped out after a matter of days, the rest stayed from a few days to a few weeks, leaving only a handful of people who stayed for the entire season.

Efforts to attract UK-resident workers may be boosted by the introduction of the Universal Credit, due to be fully rolled out in 2022. The Department for Work and Pension estimates that it will incentivise a further 170,000 people into work, although there are no sectoral analyses to suggest how many of these workers may end up in agricultural work, nor any analysis of where the majority of these workers live in relation to rural businesses.

The NFU continues to work hard to change the perception of the sector to help attract new entrants. We are a supporter of the industry wide careers initiative 'Bright Crop' which seeks to inform school pupils, their parents and careers advisers about the range of careers and progression opportunities available across the industry. The NFU is also a founding member of the industry wide AgriSkills Forum which seeks to professionalise the industry through skills development and lifelong learning so it is seen as a career of choice rather than one of last resort. The NFU is also involved in the development of apprenticeship standards through the Apprenticeship Trailblazer process, working with other organisations and employers in the sector to develop new standards in crops, livestock and poultry sectors. These standards will be available as a route into the sector to people looking to make a career out of farming

Overall, irrespective of Government ambitions to reduce the UK's dependence on migrants, particularly for work classed as low-skilled, it is unrealistic to expect that change to happen overnight. The NFU, the Migration Advisory Committee, and recent reports from the House of Lords and House of Commons EU Committees, and the House of Commons EFRA Committee, all state that there is no evidence that resident UK workers will eventually fill the jobs vacated by EU workers, particularly for seasonal work.

The cost of labour

All workers employed in the farming sector receive at least the National Minimum Wage (NMW) or National Living Wage and are covered by, and entitled to, the same employment rights and protections as British workers, and indeed can achieve good rewards for their efforts. Seasonal workers, for example, will often earn substantially more than the NMW through hourly performance related ('picking' piecework rates) bonuses, and harvest workers are often provided with highly subsidised or free accommodation.

It is important to recognise that farm businesses are generally price takers rather than price makers. Retail margins and margin at farmgate are at a 3 year low. If employers in the sector are forced to pay more for labour – which can account for in the region of 50% of a farm’s production costs in some sectors – somebody has to pick up the bill. Given the balance of power in the supply chain, this is unlikely to happen further up the food supply chain, and it will inevitably fall on farm businesses to do so. At a time of considerable uncertainty in the sector due to Brexit, this will simply add to instability in agriculture and will mean food production is no longer viable for some businesses.

A more automated industry

Despite innovation and automation often being referred to by policy makers as the ‘solution’ to farming’s labour needs, we do not believe that capital is likely to be substitutable for labour in the short to medium term.

For example, while technology advances in the horticulture sector have made substantial improvements to the productivity of the sector – such as table top strawberry growing and poly-tunnels which make conditions easier for workers and allow them to work at a faster rate – many crops such as berries, apples and pears require skilled hand-picking to avoid damaging the fruit. Technology has not yet been developed to replace human pickers at an economically viable scale. Current expectations are that automation, where achievable, remain at least a decade away, and even then the cost of adopting new technologies may be prohibitive for many farm businesses.

The scope for automation to replace labour is also limited in the livestock sectors where IT and technology will never be able to fully replace good stockmanship, which is essential for animal welfare. As such the industry will remain dependent upon manual labour for the foreseeable future.

A NEW UK IMMIGRATION POLICY: THE CHALLENGE FOR UK FARMERS AND GROWERS

The implications of the EU referendum

The result of the EU referendum has the potential to drastically alter the landscape for migration to and from the UK. It is clear that immigration was one of the key issues driving the debate around the UK’s membership of the EU, and it is widely accepted that the result requires the UK government to take greater control of our borders with a new immigration system aimed at reducing net immigration.

It is anticipated that changes to the immigration system and the end of the free movement of EU workers that will result from the UK leaving the Single Market will result in labour shortages. In particular, there is anxiety that much of the debate has focused on the need to provide UK industry with access to “highly skilled workers”, without a clear definition of the term. The range of agricultural jobs that are often filled by non-UK workers at present is wide and varied – from skilled herd managers and semi-skilled assistants in the dairy sector, through specialised and labour intensive seasonal work in horticulture and poultry, and permanent lower skilled workers in the pig and poultry sectors. A future immigration system must ensure an adequate supply of both high and lower-skilled workers, in both permanent and seasonal positions.

The government is expected to set out its plans for a new immigration system in a forthcoming Immigration Bill, something we will scrutinise closely. However, the status of EU nationals currently resident and working in the UK will be subject to the current Article 50 negotiations between the UK and the EU. Given the number of permanent workers in agriculture and the wider food industry that are EU nationals, we are asking for clarity, as a matter of priority, on the government’s position and for early agreement within the negotiations.

Turning to seasonal labour, it is important to note that the United Nations definition of an immigrant requires someone to stay in another country for at least 12 months. The ONS follows this definition and so immigration statistics exclude seasonal workers who stay for only a few months. Farming’s seasonal labour requirements can be adequately met without impacting net migration figures, and as our experience with the Seasonal Agricultural Workers Scheme shows (more details later in this report), we have historically enjoyed very high return rates of seasonal workers – in other words, the vast majority of workers coming to the UK under the scheme have returned home at the end of their work contracts.

The impact on labour in agriculture and horticulture

An abrupt reduction in the number of EU workers able to work in the UK after the UK leaves the EU would cause considerable disruption to the entire food chain. Prior to the referendum, labour providers and employers were already reporting a decline in the number of EU nationals wanting to work in the industry – particularly in seasonal roles. Our most recent research in June 2017 shows that the number of seasonal workers coming to work on British farms has dropped 17% leaving some farms critically short of people to harvest fruit and vegetables during the busy harvesting season. The proportion of returnees, which form a sizeable and dependable source of workers, has also dropped significantly throughout the first five months of the year, falling from 65% to 33%. Reasons include falling unemployment levels and enhanced welfare benefits in Romania, Bulgaria and Poland, the weakness of sterling, and a preference for more desirable, permanent jobs. Brexit, the ensuing uncertainty, and the current lack of clarity over the UK's future relationship with the EU have accelerated this trend.

The immediate impact would be significant difficulties in harvesting fruit and vegetables due to a lack of labour. Such issues could lead to production shifting to other places where the labour supply is more secure and greater pressure from imported produce. If there is a lack of labour further up the supply chain this will also affect our ability to process meat products in the UK, and impact on the provision of retail ready cuts of meat and exports.

Imported produce, if available, could come at a higher cost, depending on availability and demand, which may have an impact on food prices. The same levels of food safety, freshness, quality and traceability can also be harder to guarantee when buying from abroad. As a nation, this would also undermine our goal to produce more of the food we eat ourselves, and avoid an over-reliance on imported food, which as we have seen with vegetable shortages at the beginning of 2017, can often prove unreliable.

Longer-term, those reliant on overseas workers for permanent jobs will also be severely affected, something that is already being observed in some sectors. In the dairy industry, there was a notable shortage of staff in the aftermath of the EU referendum, and labour providers have reported increasing difficulty since the vote in sourcing overseas labour. A National Pig Association survey following the EU Referendum found that 20% of pig businesses would be unable to survive without access to overseas workers and a further 25% said they would have to completely change how they operated in such a change of circumstances. Many are already seeing EU staff returning home and fewer applying for vacancies.

If British farmers and growers cannot source the workers they need, they are likely to delay investments, and in some cases move their growing operations overseas where workers are based, which would result in a loss of thousands of permanent British jobs further along the food chain.

Maintaining access to a competent and reliable workforce

It is vital that the government addresses these concerns as a matter of priority. As explained above, the industry is already experiencing a squeeze on recruitment and will continue to do so ahead of Brexit. This is not an issue confined to arguments about what our immigration system will look like after we leave the EU in March 2019. The lead in time for recruiting seasonal labour is around 9 months and businesses will already be planning their workforce requirements for 2018. It will not be long before planning begins for the 2019 season, and while there is a lack of clarity for potential workers about whether they will actually be entitled to take up the jobs on offer, there can be no doubt that there will be a significant shortfall in labour availability, with potentially devastating consequences for farm businesses and food production.

The supply of seasonal workers for 2018 and 2019 seasons is now in jeopardy. The government must, as a matter of urgency, establish a system that will continue to allow sufficient overseas workers to take up seasonal jobs in the UK to stop this from happening.

Looking to the industry's permanent labour requirements, the government's forthcoming Immigration Bill will establish a new immigration system governing access to overseas labour. We urge the government to provide early sight of its intentions, and to consult widely with those industries that are particularly reliant on large numbers of overseas labourers, such as agriculture and horticulture. The Immigration Bill must recognise the crucial importance of migration for certain sectors of the UK economy, both low and high skilled, and be based on a realistic expectation of the ability and availability of UK workers to fill the jobs currently carried out by EU migrant workers.

We have urged the Home Office to instruct the Migration Advisory Committee to undertake a full impact assessment of new immigration system options and their suitability for agriculture and horticulture, including establishment of a clear and accurate picture of current labour force statistics in the sector. We are pleased the government has announced such a review and we look forward to seeing the details.

POTENTIAL FUTURE OPTIONS FOR UK AGRICULTURE AND HORTICULTURE

We urgently need a solution to the farming sector's permanent and seasonal labour needs to avoid losing a critical mass of workers, including a suite of visa and/or permit schemes that offer employers flexible, low cost solutions, with minimum burdens to process applications. Government must ensure that it puts sufficient resources in place to process applications in a timely fashion, not only of new workers looking to come to the UK, but of those already here.

The boxes contain existing or historic examples of how immigration control systems can be implemented, to help guide the discussion about what sort of future system may be suitable for the UK. We urge government to waste no time in engaging with industry to develop and implement ideas such as these to ensure farmers and growers can continue to produce a safe and affordable supply for food.

The Seasonal Agricultural Workers Scheme (SAWS)

The Seasonal Agricultural Workers Scheme (SAWS) was a quota based scheme that enabled UK farmers and growers to recruit temporary overseas workers to carry out planting and harvesting of crops, as well as on farm processing and packing. It was controlled by the UK Border Agency (UKBA) and managed by contracted operators.

Workers arriving under SAWS were issued with a work card which gave them permission to work for one employer for a fixed period of five weeks up to six months. They had to be paid at least minimum wage and be provided with accommodation by the farmer or grower employing them.

For employers, the SAWS provided a reliable, productive workforce that enabled horticultural businesses to grow and compete by providing a consistent source of labour guaranteed to remain on farm during the crucial harvest period. For seasonal workers the scheme provided the opportunity to earn money, improve their English, enjoy experiencing a different culture and, for some, learn skills that they can take back to their home countries in order to establish their own careers in horticulture.

Prior to 2007 SAWS applied to students from outside the European Economic Area (EEA). However, since January 2008 it had been restricted exclusively to Bulgarian and Romanian nationals as part of the transitional controls on migration from these 'A2' states when they joined the European Union.

While SAWS was crucial to meeting the seasonal labour requirements of the horticulture sector, there are some shortcomings which mean a replica scheme would not be fit for purpose in the current environment. For instance, it operated alongside freedom of movement within the EU, which is unlikely to apply in future, and inasmuch it only ever provided 18-21,000 of the 80,000 workers needed. Furthermore, the 6 month limit under which the scheme operated would be too restrictive now, and the extension of the growing season means workers are now needed for up to 9 months.

Points Based Immigration System

Points-based immigration systems select migrants for entry into a country on the basis that they have certain valued attributes, such as qualifications, occupation and language skills, and that they are required to accrue a sufficient number of points to demonstrate these attributes.

The UK example. This system was introduced by the Labour government between 2008 and 2010. It admitted a total of 188,000 people from outside the EEA in 2015. It centres around the following categories – qualifications, future expected earnings (the salary that is received by the applicant), sponsorship (e.g. employer / educational establishment), English language skills and available maintenance (e.g. funds used to initially support the migrant). It operates under 5 tiers. They are:

- Tier 1. Investor/entrepreneur/exceptional talent
- Tier 2. Skilled workers that cannot be fulfilled by UK or EEA nationals (including sportspeople, ministers of religion and intra-company transfers)
- Tier 3. This was a pathway to entry for unskilled migrants to fill temporary labour shortages. It was never used and is currently suspended by the government. This is because the supply of unskilled workers was met from the EEA.
- Tier 4. Student (who have already been offered a position at an educational institution)
- Tier 5. Temporary migrant. This consists of two categories: (i). Youth mobility (allowing young people to enter the UK on working holidays) and (ii). Temporary workers, in creative arts, sports, charity, religion and government authorised exchange programmes.

The Australian example. This points based system is divided into two tiers and is intended for permanent residence: (i) Humanitarian Programme, which admits 20,000 refugees per year and (ii) Migration Programme, which is capped at 190,000 people per year. The key assessment criteria are as follows:

- Age. All applicants must be under 50 years old, with those aged between 25 and 32 receiving more points.
- English. Applicants must demonstrate their ability to speak English, at either a “proficient or “superior” level.
- Qualifications and experience. Points are awarded for qualifications (e.g. a degree or a PhD) and demonstrable work experience.

Additional points are available if the applicant has worked in Australia before, or is sponsored to work by an employer or Australian State or Territory.

The Australian points system does not cover temporary labour. However, there is a specific scheme to provide labour to the agricultural sector if there is otherwise a shortfall. The Seasonal Worker Programme allows employers who are approved by the government to recruit labour from a number of Pacific Island countries on a temporary basis for a variety of approved agricultural jobs. Importantly, employers must show that they have been unable to recruit from the Australian labour market. Workers who are recruited through this scheme must be provided with minimum working hours for up to six or nine months and are covered by the same legislation as Australian employees. Employers must pay for the travel of workers to and from Australia, their accommodation and ensure they look after their pastoral care. Another method of fulfilling temporary labour requirements is the Working Holiday Visa, which is designed to supplement the cost of a holiday through incidental employment. Working holidaymakers who have done at least three months seasonal harvest work in regional Australia will be able to apply for a second, 12 month Working Holiday Visa.

The UK's future immigration regime outside the EU

We await details of the government's proposed future immigration regime, which we expect to be contained in the forthcoming Immigration Bill. This should allow the industry to meet its requirements for both permanent and seasonal workers. In particular, the sector's permanent labour requirements must be adequately catered for through a long-term immigration system that recognises different sectors' needs for both high-skilled and low-skilled labour, much of which currently comes from the EU, including realistic assessments of the ability of the domestic workforce to fill such roles in the short to medium term. The immigration system must also establish the status quickly and efficiently of EU nationals currently resident and working in the UK, which we urge both parties in the negotiations to settle as a matter of priority.

A new Seasonal Agricultural Labour Scheme

The NFU, with the endorsement of employers and labour providers, has developed a framework for a Seasonal Agricultural Labour Scheme, with the following key features:

- An international scheme - A scheme open to workers from any countries with 'returns' arrangements in place with the UK.
- Administered by the Home Office - operated on a work card or specific visa system, with an annual quota decided by the Home Office, based on a recommendation from the Migration Advisory Committee (MAC), and reflecting the sector's requirements. The Home Office would conduct an exit check on departure.
- Managed by licenced employers and labour providers - growers can choose to directly recruit workers themselves, or can use labour providers (which supply workers to multiple farms). Both channels must be licensed and approved by the Home Office.
- Restricted to a maximum nine month placement - permission to work and remain in the UK should be restricted to a maximum period of nine months, but not restricted to a specified window so as to accommodate all crop harvest patterns. Employers will offer workers a minimum of three month's work on a zero-hours contract.
- A farm placement transfer option – if a seasonal worker wishes to move employer this should be enabled through a registered transfer option (permits or visas could be transferred through the Home Office). This is a continuation of a facility that has previously been available to seasonal workers.

Retaining an element of free movement

As the Brexit negotiations continue, proper consideration should be given to retaining an element of free movement of labour, which would provide some security for farming's permanent workforce. This would entail allowing EU citizens to enter, settle in the UK and work without a work permit. Some restrictions could apply, for instance requiring them to have a definite job offer before coming to the UK, establishing numerical limits on the people allowed in for work purposes, or only allowing workers for particular sectors.

Work permits

A system of work permits would require employers to apply for authorisation to hire a non-UK national for a specific job. The authorisation would come with conditions attached, e.g. type of work, time period it applies for, qualifications of the worker or the activities of the employer.

Low-skilled worker programmes are common in high-income countries, although they tend to be more restrictive—often limited to specific types of work (e.g. horticulture) and often providing no or limited routes to permanent settlement or options for family unification. Nevertheless, this is a model that might suit the sector's seasonal labour requirements.

The UK Government currently manages the demand for non-EEA skilled employees by maintaining a shortage occupation list, overseen by the Migration Advisory Committee. This could provide a model for skilled workers in agriculture, for instance the dairy sector, and could also be extended to accommodate low-skilled occupations.

Tier 3 Visa (applicable to non-EEA and EEA Citizens)

Under the existing UK points-based system (as outlined above), the UK could adopt the same system for all people wishing to come to the UK without differentiating between EEA and non-EEA migrants. The Tier 3 work permit category is intended to help employers of lower-skilled workers to fill temporary labour shortages. It has never been in operation, because of the strong supply of labour from the European Economic Area (EEA), members of which do not currently require visas to work in the UK.

SUMMARY

- ✓ A solution to the farming sector's labour needs is urgently needed to avoid losing a critical mass of workers. We want a clear and unambiguous commitment from Government that farmers and growers will have access to sufficient numbers of permanent and seasonal workers from outside of the UK where necessary after the UK leaves the EU.
- ✓ The NFU believes there should be a suite of visa and/or work permit schemes that offer employers flexible, low cost solutions for recruiting overseas workers into agriculture, whether for permanent or seasonal jobs, with minimum burdens to process applications.
- ✓ The supply of seasonal workers for 2018 and 2019 seasons is now in jeopardy. It takes time to recruit large numbers of people, and overseas workers need to feel confident that they will be allowed to come and work in the UK in future. Government must therefore, as a priority, establish a system to enable sufficient recruitment of seasonal labour before Brexit.
- ✓ The government must also provide clarity, as a matter of priority, on the status of EU nationals living and working in the UK, given the many permanent workers in the agri-food sector who are EU nationals.
- ✓ The government should set out its preferred approach to a new immigration system, which caters for both permanent and seasonal workers in agriculture, after we leave the EU as soon as possible. This should involve extensive consultation with industries particularly reliant on overseas labour, such as agriculture and horticulture.
- ✓ The forthcoming Immigration Bill must recognise the crucial importance of migration for certain sectors of the UK economy, both low and high skilled, and be based on a realistic expectation of the ability and availability of UK workers to fill the jobs currently carried out by EU migrant workers.
- ✓ The Home Office must ensure the Migration Advisory Committee properly undertakes a full impact assessment of new immigration system options and their suitability for agriculture and horticulture, including establishment of a clear and accurate picture of current labour force statistics in the sector.