



Grievance Mechanisms for Seasonal Migrant Workers in the UK Agricultural Sector

Findings based on study by Dr Lara Bianchi and Dr Oana Burcu,
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Concerns continue to emerge about the implementation of the UK seasonal workers scheme, and its impact on migrant workers. Grievance mechanisms are a means through which workers can raise concerns about actual or potential adverse impacts caused by business activities. Adverse impacts occur when an action or omission removes or reduces the ability of a worker to enjoy their human rights, including labour rights. Businesses involved in the UK Seasonal Workers Scheme should offer effective grievance mechanisms to workers.

Key findings

The study identifies current challenges and areas for improvement in the provision of grievance mechanisms and effective access to remedy for human rights abuses faced by seasonal migrant workers in the UK agricultural sector.

- Stakeholders involved in the Seasonal Workers Scheme have varied understandings of grievance mechanisms and their direct connection to access to remedy. While some organisations, including retailers, have robust human rights policies and due diligence processes in place, others seem to be little aware of the full remediation process, which includes assessing adverse impacts, providing grievance mechanisms and ensuring access to remedy.
- Migrant workers' access to State-based grievances remains minimal. Their legal status paired with the short-term of their stay make the access to State-based mechanisms challenging. This creates an increased pressure on non-State-based grievance mechanisms to be effective.
- In terms of current practice within the UK scheme, most workers identify 'office staff', typically site liaison officers and supervisors, as their primary grievance mechanism channels. In cases where scheme operators place their own staff on farms, then their staff seemed to be the preferred first points of contact for workers. In larger farms, it is common to find multiple grievance mechanisms available to workers, usually in different languages, but most often supervisors are both the most common source of grievances (for abuse of power, discrimination, verbal abuse) and the most common channel for raising a grievance.
- The majority of grievances are filed informally and not logged, which makes difficult to verify if and how they are resolved. Workers whose growers and scheme operators are non-responsive to grievances tend to be unaware of where else they can turn for help.
- With very few exceptions, both farm managers, labour providers and retailers seem to consider the UK migrant workforce at a low or no risk of gender-related abuses. None of the grievance mechanisms included a gender dimension to their accessibility – i.e., a designated safe way for women to report gender-specific concerns.
- Overall, many workers reported a positive experience within the scheme, which allows them to work in a country where they feel treated fairly, and able to achieve their financial goals. Many business actors show a strong commitment towards the respect for workers' rights, going beyond the minimum requirements, for example, with an ethical recruitment process, the provision of high-standard working and living conditions, and the commitment to offer effective grievance mechanisms.
- However, the UK agricultural sector exhibits a wide range of practices, with the scheme lacking a clear delineation of responsibilities

on workers' rights, standards for effective grievance mechanisms and related access to remedy for abused workers.

Why is this important?

Concerns continue to emerge about the implementation of the UK seasonal workers scheme, and its impacts on migrant workers. While the overall responsibility for the scheme remains with the Home Office, a complex delegation of responsibilities on workers' rights translates in an over-reliance on business actions. This includes the provision of non-State-based grievance mechanisms, that are supposed to offer workers a channel for reporting abuses.

The provision of an effective on-site grievance mechanism is still considered by many UK businesses as a mere tick box exercise, rather than being used as a risk management tool for the remediation of abuses and organisational learning.

We suggest a way forward that can empower seasonal migrant workers to safely report concerns, while at the same time raising awareness among growers on how to unlock operational and financial advantages from the implementation of effective grievance mechanisms.

Recommendations for retailers

- **Leverage:** Retailers, as large organisations, can influence change in the practices of business partners, including suppliers and contractors. The first step is to have a clear human rights policy in place, which includes expectations on access to grievance mechanisms within the supply chain. The normalisation of the human rights language within the business community is also an important action for fostering open dialogue on challenges and successes.
- **Promote:** Retailers can act as catalysts for change, and this includes clarifying within the supply chain that grievance mechanisms are a risk management tool for organisational learning and the prevention of future abuses. Grievance mechanisms should not be considered as mere fault-finding activities, nor just a compliance matter.
- **Support:** Retailers should prioritise building the capacity of their suppliers and contractors beyond first tiers to provide effective grievance mechanisms and related remedy. This is part and parcel of the retailers' corporate responsibility to respect human rights as set by Principle 13(b) of the UN Guiding Principles on Business and Human Rights (ie, a direct responsibility derived by business relationships). Supporting smaller businesses would systematically tackle the

current lack of awareness and capacity at the base of the supply chain. The support might include short training sessions on decent working and living conditions, human rights standards, effective on-site grievance mechanisms, and direct link to access to remedy. Direct support on designing and implementing on-site grievance mechanisms should also be offered.

- **Act:** Retailers should act as an escalation point for most severe cases, and carefully consider responsible disengagement from partners only when all other support routes have been exhausted. Retailers, in partnership with other stakeholders within the scheme, might consider the establishment of an independent or multi-stakeholder grievance mechanism as an effective escalation route.
- **Avoid:** Retailers should avoid to over-rely on audits and quantitative KPIs, and to burden business partners with excessive monitoring process. Audits and KPIs are usually unable to capture workers' vulnerabilities and abuses, including episodes of bullying and harassment, and do not automatically guarantee an increase in accountability.

Research overview

The project adopted a qualitative method approach, using both secondary and primary data. Given the complexity of capturing comprehensive information on business practices, as well as on workers' journeys, their lived experiences, and their vulnerabilities, the researchers specifically made a choice not to employ quantitative methods, including surveys, but to conduct narrative interviews. Between August 2023 and July 2024, a total of 24 interviews were conducted with workers, and 25 interviews with business representatives, NGOs and public actors.

In February 2024, a researcher accompanied a scheme operator on their in-country recruitment trip in Kyrgyzstan, which gave the opportunity to observe the initial part of a worker' migration journey, from source country to the UK.

In spring 2024, one community of practice and one focus group with practitioners were conducted to collect first-hand experience from businesses involved in the scheme.

Access to full report can be found here: [Seasonal migrant workers in the UK agricultural sector report, Oct 2024](#)