WORK RIGHTS CENTRE - EVIDENCE SUBMISSION

Low Pay Commission Consultation 2025

June 2025

ABOUT WORK RIGHTS CENTRE

Work Rights Centre is a registered charity dedicated to supporting migrants and disadvantaged Britons to access employment justice and improve their social mobility. We do this by providing free and confidential advice in the areas of employment, immigration, and social security, and by mobilising frontline intelligence to address the systemic causes of migrants' inequality. The charity was founded in 2016. Ever since, we have advised over 6,000 people, helped recover over £500,000 in unpaid wages and fees, and supported hundreds more to make job applications and secure their immigration status.

Contents

Section 1 – About the Work Rights Centre

Work Rights Centre is a registered charity dedicated to supporting migrants and disadvantaged British citizens to access employment justice and improve their social mobility. Founded in 2016 in the London borough of Brent, the charity pursues its charitable mission by providing free and confidential advice in the areas of employment and immigration, mobilising frontline intelligence to address the systemic causes of migrant's inequality.

Since its inception, the charity has had great success in achieving positive outcomes for its clients and beneficiaries. For example, the charity has advised over 6,000 members of the public, helping to recover over £500,000 in unpaid wages and fees while also supporting hundreds more to make job applications and secure their immigration status.

Our frontline service consists of two multilingual teams of advisers who operate in London (5 days a week) and Manchester (on Saturdays). Together, the advice team assists an average of 20 beneficiaries a week, with issues which range from non-payment of wages, insecure immigration status, and career advice.

In recent times, the Work Rights Centre has developed its advocacy functions by using data from our frontline cases to inform policymakers and policy recommendations. This has allowed the organisation to play a crucial role in various policy areas including the UK's response to the humanitarian crisis in Ukraine, the welfare of migrant seasonal workers arriving under the Seasonal Worker visa scheme, the welfare of migrant workers generally under the UK's post-Brexit immigration regime, as well as matters related to labour exploitation and modern slavery in the UK.

Given our experience as a frontline organisation and that many of our advisers are embedded into the communities that they represent and advocate for, our focus in this consultation response has been to address the Commission's questions with a specific focus on the experiences of migrant workers in the UK. In particular, we have addressed how the specific features of the post-Brexit immigration system, the UK's current labour market enforcement apparatus and the experiences of migrant workers in recruitment to and arrival in the UK combine, and how these features interact with the National Living Wage (NLW) rates. Where possible, we have provided updates on matters raised in our 2024 evidence to the Low Pay Commission.

Section 2 – Substantive questions

The National Living Wage

To what extent has the NLW affected different groups of workers? In particular, are migrant workers affected differently or do effects differ by protected characteristics? (For example, are there differences by sex, race/ethnicity or disability?)

Despite increases to the NLW, many of our clients continue to experience issues with the cost of living. This is exacerbated by underlying financial precarity that many of our clients face. For example, between 31 May 2024 and 31 May 2025:

- 866 new enquiries (91%) reported having only 0-2 months of savings. The top 5 nationalities represented were Nigeria, Bangladesh, Ukraine, Ghana and the UK. The inclusion of Nigeria, Bangladesh and Ghana is most likely attributable to the increase in enquiries from individuals affected by exploitation on the Health and Care Worker visa route which we cover later in this submission.

- 53 new enquiries (8%) reported having between 3-5 months of savings. The top 5 nationalities represented were Ukraine, Nigeria, Romania, Russia and India.

- 13 new enquiries (1%) reported having 6 months or more of savings. The top 5 nationalities represented were Ukraine, Poland, the UK, Hong Kong and Italy.

In the same period, the average monthly pay for our non-UK male employment clients was around £1,828, while the average pay for non-UK female employment clients was £1,646. From these figures, the average annual salaries for men and women were £21,936 and £19,752 respectively. According to the Living Wage Foundation, the annual salary of someone earning the current UK Living Wage for a working week of 37.5 hours is around £24,570, with the London Living Wage calculation coming in slightly higher at £27,007.50.[1]

This is by no means a precise comparison, because there are many factors that can increase or decrease average earnings for our clients, such as whether they have contracted hours, a regular work schedule and the impact of their immigration status. Similarly, the latest Living Wage Foundation rates were only released on 23rd October 2024.

However, what these figures do tell us is that, over the last year or so, our migrant worker clients are failing to earn living wages, with women significantly worse off. There are gendered differences in how clients reported work actually being carried out. In our sample above, women were more likely (15%) to be working part-time than men (9%). On the flip side, men were three times more likely (9%) to be working on the

black market than women (3%) and were less likely to have written terms of work (22% of men did not have written terms of work, compared to 15% for women). We cover some of these indicators of work precarity in more detail later in the submission.

Conditions for sponsored migrant visa workers

We have previously remarked that sponsored migrant workers find it harder to enjoy the benefits of a higher minimum wage because they face significant barriers to accessing their employment rights overall. Systemic difficulties with securing continuous lawful employment for the duration of their visa, coupled with high costs of recruitment to the UK and exclusion from public funds generate, in turn, a pressure on migrants to survive by taking on cash in hand jobs, where underpayment is endemic and exploitation is rife.

Last year, we provided evidence on some of the most problematic sponsored visa routes for migrant workers including the Health and Care Worker visa and the Seasonal Worker visa. Below, we provide updates on these categories, including ongoing challenges and attempts at reform.

The Health and Care Worker visa (HCW visa)

The incurring of illegitimate recruitment fees/debts and employment rights breaches remain an issue for workers on this route. In November 2024, we released "The Forgotten Third", a report looking at the experiences of migrants working in England's adult social care sector. 63 of the 92 workers interviewed and surveyed were on the HCW visa.[2] We found:

a. More than 1 in 3 survey respondents (21 people) on the HCW visa reported paying a large recruitment fee to secure their sponsored job role. The value of fees ranged between £1,000 and £25,000, with an average of £11,000.

b. A majority of survey respondents (36 people) on the HCW visa reported experiencing an employment rights breach in the past 12 months. Among them, 11 had not been given any work at all by their visa sponsor, with the remainder describing a range of other issues related to incorrect payment of wages, discrimination and health and safety breaches.

c. Worryingly, most of these breaches remained unreported. In 76% of cases workers only raised their issues internally with the employer, or never raised them all.

The government has acted on the issue of passing on employer costs to workers, but stronger measures are needed. In November 2024, the government announced that it was updating Home Office sponsor guidance to introduce a ban on passing specific sponsorship costs on to Skilled Workers.[3] The ban includes fees for obtaining a sponsor licence, the Certificate of Sponsorship fee, the Immigration Skills Charge and

other ancillary fees and costs. Though a welcome step in the right direction, repayment clauses covering other employer related costs have not been outlawed. Existing guidance confirms that any repayment clause must abide by the four principles relating to transparency, proportionality, timing and flexibility, but the fact that this is not on statutory footing means that workers can be uncertain as to the fairness and lawfulness of the clause being used against them.[4] We recommend that the government legislates to restrict the use of repayment clauses in the sector to reduce the incidence of financial exploitation through extortion or other means.

A particular concern has been the ongoing plight of migrant care workers in England who have become displaced as a result of Home Office enforcement activities on the route. In March 2025, the government made the extraordinary revelation that, between July 2022 and December 2024, it had revoked more than 470 sponsor licences in the care sector to clamp down on abuse and exploitation. More than 39,000 workers had been associated with these sponsors since October 2020.[5] Enforcement action of this kind has an impact on workers' immigration status, normally meaning they have a maximum of just 60 days to find another sponsor or to make another immigration application to remain in the country lawfully. The Home Office has exercised discretion to effectively pause this period for displaced workers, instead signposting them to a rematching support programme funded by the Department of Health and Social Care. [6]

However, the latest data demonstrates that this has been ineffective. As of 30 April 2025, just 941 workers, or 3.4% of those signposted by UKVI for support by March, had reported finding alternative employment with bona fide visa sponsors. Out of 15 regions funded by the government to support workers with sponsor rematching, 13 had rematched fewer than 200 workers, and one region matched just a single worker to a new role.[7] As a result, there are thousands of workers (and thousands more considering family dependants) who are currently in limbo in England with limited means to support themselves financially, leaving them open to re-exploitation and more severe forms of abuse. We have urged the government to allow these workers the flexibility to take up any jobs they can find in the social care sector without the pressure of having to find a Home Office approved sponsor and the cost of making another visa application. Given the Home Office's role in creating this crisis, there is a clear duty to safeguard individuals affected. We have also identified structural reforms which could help to safeguard sponsored workers more generally, which can be found under the "Experience of those on low pay over the past year" heading.

The Seasonal Worker visa (SW visa)

The SW visa remains of ongoing concern to the Work Rights Centre. Our organisation is part of the Seasonal Worker Interest Group (SWIG), an alliance of key organisations that provide support to or advocate for, migrant seasonal workers. Earlier this year, the SWIG published its evidence submitted to the Director of Labour Market Enforcement (ODLME) for the Labour Market Enforcement Strategy 2025/26, the main details of which we explore below. [8]

Since our last submission to the Low Pay Commission, the Migration Advisory Committee's review of the scheme identified that workers' "migration status can put them at additional risk" because the visa is a "temporary, short-term visa scheme in rural areas which usually relies on the employer for accommodation". Risks to workers are present "throughout the process, from the time before workers come to the UK during the recruitment process and until they leave".[9] Similarly, the United Nations Special Rapporteur on contemporary forms of slavery in June 2024 expressed alarm at the "systemic exposure of migrant workers in the UK to protection risks related to deception, exorbitant recruitment fees, debt bondage, undignified living conditions and potential deportation".[10]

In terms of casework, from January 2024 to May 2025, the Work Rights Centre supported 75 employment enquiries from SW visa holders that were within remit. In terms of issues cited by workers, transferring employers was the biggest concern, making up over a third of all issues cited (35%). This was followed by issues of non-payment/deductions from wages (15%), contested dismissal (13%), bullying (8%) and discrimination (5%).

We explore some of the key issues related to the scheme in more detail below:

- **Transfers –** According to DEFRA's 2023 survey of seasonal workers, 2,912 workers (23.5% of all survey respondents) requested a transfer to another farm during their time working in the UK.[11] Of those, 1883 (64.9%) were transferred, while 862 (29.7%) were not and 157 (5.4%) respondents were unable to move even though the transfer was granted. In 32.2% of refused transfer cases, workers were not given a reason why their request was refused.[12] The survey does not examine whether workers who did not request a transfer knew about the possibility of a transfer or how to make a request. According to Home Office scheme guidance for operators, transfers to other farms should not normally be refused, but in practice this has been one of the biggest issues workers have faced over consecutive seasons.[13]

- **Costs incurred by workers –** according to the DEFRA survey, 40.8% of workers are taking out some form of loan to fund pre-arrival costs, while another 57.5% are relying on savings.[14] This is important because the risk of becoming indebted is therefore greater because of costs imposed by the scheme on workers. Research by Focus on Labour Exploitation (FLEX) based on information collected between June 2022 and October 2023 found that most workers who responded reported taking out a loan to cover the costs of coming to the UK (72%).[15] Workers surveyed in the same study reported paying between up to £5,500 in total to come to the UK to work before even earning a wage, with an overall average of £1,231.

  The government has commissioned an independent study into how the Employer Pays Principle (EPP) might be operationalised as part of the SW visa, and we are currently waiting for the full report to be published before providing official commentary on any proposals. That said, we have previously stated

that the most suitable way for EPP to be operationalised is for the cost to be met by retailers, and that workers should not be paying upfront costs, including as part of any potential fair loan schemes that might be considered.[16] Moreover, additional costs should not be passed on to workers, and there must be stronger enforcement of the scheme rules in place to ensure that EPP is not undermined by other means.

It is also worth noting that the Home Office's updated Transparency in Supply Chains guidance explicitly states that "Companies should follow the Employer Pays Principle" as part of companies' obligations around responsible recruitment.[17] Despite this not being binding on commercial actors, it is seemingly contradictory for the government to issue guidance in support of the EPP, but to then make no concrete efforts to mandate it as part of the SW visa.

- **Access to redress and complaint channels –** According to the DEFRA survey, over a fifth of workers still do not know how to raise a complaint if they are unhappy with their employment (21.7%).[18] 10.5% of workers had experienced a grievance but had not raised a formal complaint, while 3% had. When explaining why they had not escalated complaints, 68.8% of workers cited fears of losing their job, losing their right to stay in the UK or the belief that no action would be taken.[19] Of those that had raised grievances, only 5 cases were raised with external bodies like the Gangmasters & Labour Abuse Authority and the Home Office, while the rest were discussed with colleagues, farm managers or operators only. [20]

  This is significant because it suggests that seasonal worker cohorts that do experience grievances during their time in the UK are reluctant to report problems, particularly to state enforcement bodies and regulators. This tallies closely with findings of members of the SWIG that see extreme fear of reporting from workers on the SW visa, the vast majority of whom wish to remain anonymous in raising complaints and for these to be raised in almost all cases outside of the workplace for fear of repercussions.

  It also chimes with a recent report by the Nottingham Rights Lab on grievance mechanisms and access to remedy for migrant seasonal workers in the UK which found that the majority of worker grievances are raised informally and not logged, making it difficult to identify any trends.[21] Also, with few exceptions, the report found that farm managers, labour providers and retailers consider the migrant workforce in UK agriculture to be at low or no risk of gender-related abuses. This is a notable finding because the DEFRA survey suggests that a lower percentage of women said that they know how to raise a complaint (73.7%, compared to 79.4% for men). Similarly, women were more likely than men not to raise a complaint due to believing no action would be taken (33.6% compared to 25.9% for men), fear of losing their job (23.2% compared with 21.9% for men), and due to fear it would impact their right to stay in the UK (20% compared with 18.9% for men).[22] It is also a stark finding because serious safeguarding issues have previously been identified by worker support

organisations (e.g. women being placed in male-only caravan accommodation).

- **Length of work and consistency –** According to the DEFRA survey, 29.1% worked for less than their contract specified. 12.1% reported not being paid for all the work that was done, including setting up and cleaning.[23] 11.5% reported working for less than 4 months. Similarly, 37.8% of workers reported that not having enough hours on their current farm as the reason for requesting a transfer, the most popular response from the options available. More than a fifth of workers also reported that the information they had been given on working hours during the recruitment process was "not accurate" (20.3%).[24]

- **Access to healthcare –** according to the DEFRA survey, 32.9% of workers who required medical treatment reported not receiving any. [25]18.5% of workers cited being told that they had to continue working as the reason for not receiving healthcare treatment. 14.6% of workers felt that they could not afford to take time off work to receive healthcare treatment.

- **Issues around pay -** All workers on the SW visa must be paid the National Living Wage (England) or Agricultural Minimum Wage (Scotland). In April 2023, the Government confirmed that workers on the visa would be guaranteed 32 hours of paid work per week during their stay in the UK.[26] In April 2024, this requirement was clarified with the effect that workers are to be paid for 32 hours a week for every week they are in the UK, and not just the weeks that they are employed by a farm. [27]

  The Migration Advisory Committee commented in their recent review of the scheme that the 32 hour requirement "is yet to be fully implemented in practice". Worryingly, we have seen recent cases of farms trying to artificially meet the 32 hour requirement by topping up workers' pay through the use of holiday pay.[28] Without resolving underlying issues related to the use of piece rates and the regulation of productivity targets on farms (discussed below), we are concerned that there could be an increase in grievances related to early dismissals as farms look to recoup costs.

  The SWIG have submitted evidence to the ODLME of payslips from a range of workplaces and a range of workers that show the use of items/product picked to determine hours worked rather than workers' time at work being calculated on an hourly basis (apart from certain tasks such as de-leafing or weeding). In addition to showing how confusing payslips that seasonal workers receive are, it also shows that it is common practice to use a "mark up" to connect the amount accrued through product picked with the hourly rates.

  We, along with other SWIG members, have asked the ODLME to:

  ❖ Formally respond to this evidence and to inform this group if further evidence is required to advance these issues; and

❖ Ask HMRC NMW team to investigate the sector to understand the relationship between product picked, productivity rates and actual hours worked by workers. In particular, we would like HMRC to produce:

➢ A comprehensive and clear guidance document on issues around piece rate methodology and how this interacts with workers' rights under minimum wage legislation and guidance

➢ Advice on the lawfulness of using holiday pay to top up workers' pay in line with the 32 hour requirement without prior agreement with the worker

➢ Advice on the lawfulness of costs charged to workers for services, transport and utilities.

Experience of those on low pay over the past year

What has happened to quality of work recently? For example, have workers experienced changes in contract types, flexibility, workplace harassment and work intensification (e.g. greater expectations for workers to work more flexibly, with greater effort, to higher standard etc)?

The experience of migrant workers, in particular those that are sponsored on work visas, continues to be precarious. Our response to the question below details the ways in which the system of sponsorship has deteriorated the quality of migrants' work, by putting employers in a position of incredible power, with very limited scrutiny.

In terms of employment standards for migrant workers more generally, the Resolution Foundation's recent report on precarious work is insightful. Their research identified that:[29]

- Among foreign-born workers who arrived in the UK within the past five years, one-in-six (16 per cent) are on a zero-hours, variable-hours or temporary contract, compared to one-in-ten (11 per cent) UK-born workers. After adjusting for differences in age, sex and qualifications, recently arrived migrants are 2.4 times as likely as comparable UK-born workers to be on a flexible contract. Once these characteristics are accounted for, the gap is even larger than it first appears. These compositional factors push down on foreign-born workers' likelihood of being on a flexible contract, so stripping out their effects increases the disparity.

- Foreign-born workers without UK citizenship are around three times as likely as UK-born workers to be in the gig economy, where workers are particularly likely to be employed under legal statuses that have fewer rights attached. And among foreign-born workers who have been in the UK for five years or more, 4.9 per cent report being self-employed but either lacking autonomy or paying tax through an employer – indicators of potential bogus self-employment – almost twice the rate among UK-born workers (2.6 per cent).

- Overall, one-in-six foreign-born workers – 15 per cent of those who have lived in the UK for five or more years, and 16 per cent of more recent arrivals – are both in precarious work and are either low-paid or live in households with below-average income, making them less able to cope with the financial instability that precarious work can bring.

- Substantial inequalities mean some groups are particularly hard hit. For example, more than a quarter (26 per cent) of foreign-born workers from the Pakistani ethnic group, and a fifth (22 per cent) of those from the Bangladeshi ethnic group, are in precarious work, compared to 12 per cent of White foreign-born workers.

Organisational impact statistics for the Work Rights Centre in 2024 are also important to note:

- A significant proportion of our clients did not have a regular work schedule. This lack of certainty in work also translates into uncertainty in income, which can have serious consequences on people's mental health and relationships.

- Only 18% of our clients were unionised (by contrast, the average rate of unionisation in the UK is 22%). Without the protection of a union, and unable to afford private legal advice, low-paid workers are left to resolve workplace disputes on their own.

- One of the most at risk groups of clients were those struggling with informal work arrangements. 6% of employment clients were identified as being in the black market. This means that their work was not visible to the state (e.g. employer didn't pay taxes), and they could not use official records to demonstrate evidence of work. Also, one in five (20%) clients did not have a written contract. Worryingly, a majority (64%) of clients without a written employment contract were workers or employees.

- 11% of our clients did not have any confirmation of payment, reducing their ability to protect themselves from non-payment and other forms of exploitation.

The government has introduced a new Employment Rights Bill which is due to be passed this summer and intended to be the biggest upgrade in workers' rights for at least a generation. However, there are concerns that it may miss the mark in some areas. For example our previous submission related to the bill argued that, in its current form, it fails to cater for the specific hurdles faced by migrant workers. For example, we've called on the government to remove the qualifying period for unfair dismissal in respect of migrant seasonal workers arriving in the UK under the SW visa, to allow groups of workers or their representatives to join the Advisory Board of the new Fair Work Agency and the Adult Social Care Negotiating Body, and to go further to stop rogue company officers from obfuscating access to company assets by phoenixing in successful employment tribunal cases.

It is worth noting that the bill and the upgrade in rights that it purports to give is inherently linked to definitions around worker status. For example, it is a pre-condition of all the new rights that the individual is a "worker".[30] Yet the topic of single worker status is being tackled by way of later consultation. This may pose an issue as "boundary manipulation" between the different categories of worker statuses could be used to circumvent increased protections.[31] Issues like false self-employment may become more prevalent as a result. Though not a change to the Bill itself, we recommend that the consultation on single worker status be launched as soon as possible so as not to undermine the Bill's contents.

What are the barriers preventing workers from moving to a new job, particularly one that is better-paid?

A substantial volume of research by charities, academics, and journalists has revealed that employers frequently use the powers of sponsorship to coerce migrant workers into remaining in exploitative work conditions. This is because rogue businesses know that they can threaten to withdraw workers' sponsorship and place their immigration status in jeopardy if they dare to complain. The Gangmasters and Labour Abuse Authority suggests that sponsorship is currently the most common vulnerability factor among potential victims of forced labour in the UK. [32]

Though workers can in theory change their employer, in practice this is very difficult.

- 60 days is often not long enough for workers to secure alternative employment. Our research found that less than half of Health and Care visa workers who tried to find a new sponsor managed to do so, and only a very small minority managed this within the 60-day window.[33]

- There is no official central register of sponsors that workers can filter by industry, location or available vacancies, meaning workers can only "hit and hope" that they will find another employer to sponsor them.

- Workers have No Recourse to Public Funds - this means they cannot access state benefits and have no financial safety net during this period.[34] The effect of this is worsened if, as has been commonly reported, workers have been tricked into paying illicit recruitment fees by overseas agents, sometimes running themselves into tens of thousands of pounds of debt.[35]

- If workers get past these barriers, they must submit a new visa application for themselves and any dependants, costing thousands of pounds.

The system of employer-sponsorship that the UK and other states use is an example of "stated-mediated structural injustice". According to Professor Virginia Mantouvalou, this is where legislative schemes that promote otherwise legitimate aims (here, a system for facilitating labour migration) create vulnerabilities that force and trap workers in conditions of exploitation.[36]

By definition, sponsorship inhibits workers' ability to withdraw their labour from an individual employer and move elsewhere. This is a barrier to what is a fundamental human right, namely the right to free choice of employment which is codified in the right to work under Article 6 of the International Covenant on Economic, Social and Cultural Rights.[37] While sponsored workers have in theory the right to change employers, doing so in practice is significantly more difficult, compared to workers whose immigration status is not dependent on their employer, and who have access to public funds.

Sponsorship as currently operated in the UK also risks breaching the UK's international human rights obligations. This includes Article 4 of the European Convention on Human Rights (ECHR), which states that no one shall be held in slavery or servitude, and no one shall be required to perform forced or compulsory labour. Time and again clients disclosed being overworked or underpaid, or being coerced to undertake work that was entirely different from what was originally agreed. Similar situations of destitution, irregular migration status and the burden of large debts may also indicate potential breaches of Articles 3 (prohibition on torture, inhuman or degrading treatment and punishment) and 8 (right to respect for private and family life) of the ECHR.

In respect of Article 4, the UK government's policy responses to date arguably fall short of its positive duty to put in place an appropriate legal and regulatory framework to protect against exploitation and trafficking, as well as the operational duty to take positive steps to protect victims from exploitation and trafficking. Fundamentally, sponsorship lends itself to an abuse of vulnerability, an International Labour Organisation indicator of forced labour, because it can produce multiple dependencies on an employer - not just on work, but also on other factors like accommodation.[38] Sponsorship can also be weaponised in the context of legal sanctions such as deportation, detention or loss of status, arguably making it incompatible with the international prohibition on forced labour - "all work or service which is exacted from any person under the menace of any penalty and for which the said person has not offered himself voluntarily".[39] A menace of penalty in this context would be restricting workers' ability to leave employment that they took voluntarily by threatening them with the aforementioned sanctions.[40] This is a practice that has been flagged by frontline organisations extensively.[41]

By creating a large database of "accredited" employers, this system also sets the conditions of an ever-thriving information market, where intermediaries can charge extortionate fees to link workers with companies that may otherwise appear out of reach. Many people pay thousands of pounds in fees, acquiring a debt which then becomes virtually impossible to pay without continued employment for their sponsor. Were they to leave that employment, the loss of status and removal from the UK may lead to property being taken as security over an unpaid debt or, worse still, physical violence and intimidation.[42] Though the presence of a "migration industry"[43] of intermediaries is admittedly bigger than any visa system and steeped in social networks, sponsorship does create more opportunities for fraudulent activity. For example, a variety of employer-related costs, on top of work finding and administrative

costs charged by intermediaries themselves, can be more readily levied against workers in a way that seems to form a "legitimate" part of the migration process. Similarly, a sponsorship system requires an active state response in terms of compliance and audit activity to ensure that employers abide by their responsibilities, including to workers. If this is neglected, as has been the case in the UK, and responsibility over the welfare of individual migrants is in effect delegated to private entities, rogue actors in the prospective country of arrival can more easily participate as "necessary" parts of cross-border work migration scams without punishment.

Sponsorship thus not only produces exploitation for migrant workers, but is also a highly exploitable system that criminals can use to perpetuate fraud and other forms of financial crime. In the context of the UK increasing labour migration from countries outside the European Union, this is problematic because enforcement against such actors would require cross jurisdictional cooperation, including between law enforcement and state labour enforcement agencies. This is complex, resource intensive, and only likely to successfully manifest in a small minority of high-profile cases – at the expense of thousands of workers who fall beneath that threshold.

Thinking beyond individual visa holders, sponsorship amplifies poor labour standards and wider sectoral risks by creating a two-tiered labour force. Visa routes like the Health and Care Worker visa and the Seasonal Worker visa that tie workers to their underlying sectors of social care and horticulture are problematic because they entrench historically poor conditions. In both sectors workers are under-unionised, low paid, and have limited collective bargaining powers.[44] Supplying employers in these sectors with a cohort of visa-tied workers who are even less able to challenge rights breaches risks disempowering the labour force across the sector as a whole.[45]

There have been signs that the government has started to ramp up its compliance activity. For example, the Home Office accepted previous recommendations from the Independent Chief Inspector of Borders and Immigration to review the sponsor licensing application and decision making process, and learn from the characteristics of poor licensing decisions and the resulting problems to inform future decision making.[46] This was followed by a significant drop in licences granted to employers every quarter, from a peak of 13,800 at the beginning of 2024, to just over 9,000 by the end of the year.[47] Similarly, in addition to stricter licensing requirements, there has been an evident increase in enforcement actions against sponsors, from a few dozen licence suspensions and revocations a quarter at the beginning of 2023, to hundreds in 2024. Many of those were in the care sector – though not all, indicating that non-compliance is clearly not a sectoral issue, but a systemic one. Between July 2022 and December 2024, the government revoked more than 470 sponsor licenses in the care sector.[48] This comprises just over one third (35%) of all Skilled Worker licence revocation decisions made in that time period.

However, as mentioned earlier in our submission, enforcement action (particularly in the social care sector) is now having a negative impact on workers because there are no measures that provide adequate safety nets to workers or allow them the flexibility to move elsewhere. There is no official policy that protects migrants from

having their visas curtailed if, through no fault of their own, their sponsor loses the licence to employ them because of Home Office enforcement action. Even though in practice frontline advisers have reported delays in curtailment, the absence of an official written policy in Home Office guidance makes this a highly precarious status which, from workers' perspective, could end at any point. There is also no policy to give exploited migrant workers access to public funds or the unrestricted right to work while they are looking for a new sponsor. This puts them at risk of destitution or re-exploitation in the black market, especially given that they would have to pay the Home Office substantial fees to obtain a new visa sponsored by a different employer. As we have already mentioned, the sponsor rematching programme for care workers simply hasn't been effective as it has ignored the circumstances in which people were brought over to the UK and hasn't been reactive enough to changes in the social care market making it more difficult to take on international recruits (mainly general cost pressures but also those related to the cost of sponsoring workers).

The approach that would most effectively safeguard migrant workers from the excesses of employer power would be one that removes employers from the visa grant process entirely, and gives migrant workers the freedom to take their labour to the businesses that genuinely need and value them. This is, in effect, a scenario where sponsorship ends. Failing that, if the government is committed to retaining a work migration system based on employer-sponsorship, it is vital that some changes are made to mitigate the system design risks

Earlier this year, we published our report, "Safeguarding Sponsored Workers", which examined measures already adopted in Australia, Canada, Finland, New Zealand, the Republic of Ireland and the U.S.A. to mitigate against migrant worker exploitation.[49] Importantly these are other developed nations similar to the UK that operate similar employer-sponsored migration systems. Based on the learnings from these international examples, we put forward three policy solutions that would help to plug the gap in migrant worker safeguarding that currently exist in the UK:

1. **Adopt a UK Workplace Justice visa for migrant victims of labour exploitation.** All six countries we examined operated, with some variance, versions of an immigration route or solution that recognises the injustice of migrant workers being exploited by their visa sponsor and supports them to secure alternative employment. This new route should empower people who suffered exploitation and reported it to labour rights authorities or support services to leave abusive sponsors by providing them with a new, secure immigration status - thus removing the debilitating fear of falling into irregularity, and providing them with the means to support themselves. Based on international best practice, a UK Workplace Justice Visa should be open to applicants regardless of the validity of their leave, it should grant them the right to remain and work for at least as long as their original work visa, and be accessible in practice, including by adopting proportionate evidential requirements reflective of the wide continuum of exploitation that sponsored migrant workers experience.

2. **Give sponsored workers more time and means to find another sponsor.** While opening a UK Workplace Justice visa would be a lifeline for people exploited by their sponsor, there will almost certainly be people who should qualify for this route but fail to obtain it – be it due to their inability to engage with the application process, the level of evidence they are able to obtain, or other factors. To empower them to leave abusive workplaces and find a new sponsor, the Home Office should extend the 60-day grace period between the end of employment and the curtailment of the visa, to six months. An extension to six months would match the provisions in other countries, give migrants more certainty, and effectively codify the discretion the Home Office has already applied unofficially in some cases, by delaying the curtailing of visas in the social care context. Following the example of Australia, people should also have more flexibility to take up work during this grace period, without needing a Certificate of Sponsorship to start a new role. From workers' perspective, this provision would make it significantly easier to take up employment and support themselves while looking for a new sponsor, thus reducing the risk of homelessness and destitution. From the perspective of would-be sponsors who might be reluctant to front the costs of issuing a Certificate of Sponsorship before workers pass a probation period, this additional flexibility would facilitate recruitment.

3. **Increase penalties for employers who abuse sponsorship.** The consequences for rogue employers abusing sponsorship are minor, in comparison to the scale of exploitation and fraud perpetuated against workers, which can collectively run into the millions of pounds. This stands in stark contrast with the penalties regime that apply to illegal working, where employers face unlimited fines and up to 5 years in prison for knowingly employing someone without permission to work. The UK government should go further by establishing new criminal offences and a civil penalty regime for those abusing the sponsorship system and migrant workers they sponsored. This new regime should also clamp down on employers who use threats of visa curtailment to silence grievances or coerce migrants into accepting unacceptable conditions at work. As in the international examples discussed in this briefing, such as Canada and New Zealand, a new penalties regime for unscrupulous employers could also help to compensate workers directly for the consequences of mistreatment, including on issues like non-payment of wages. It may also help to subsidise the costs of running a UK Workplace Justice visa system at no charge to prospective applicants.

Compliance and enforcement

What issues are there with compliance with the minimum wage and what could be done to address these?

What comments do you have on HMRC's enforcement work?

Much of our analysis from last year's submission still stands. We believe that many employers are not currently incentivised to comply with minimum wage requirements because of the low level of penalties that are currently applied for non-compliance. This is also particularly the case for migrant visa workers, where lax compliance and penalties by the Home Office have meant there have been few deterrents to exploitative practices. Similarly phoenixing and access tor remedy remain an issue for our clients, even where they have successfully claimed their rights in an employment tribunal context.

To deal with these issues, we recommend:

- **Increasing penalties for non-compliance –** by increasing fines for underpaying the minimum wage and ensuring that naming and shaming rounds are released without undue delay.

- **Institute changes to assist migrant visa workers –** by adopting a UK Workplace Justice visa for migrant victims of labour exploitation, giving sponsored workers more time and means to find another sponsor and increasing penalties for employers who abuse sponsorship. We are particularly interested in how financial sanctions may be repurposed to compensate workers directly, as this is an aspect of the current enforcement system that is underdeveloped.

- **Amending the Employment Rights Bill to tackle phoenixing –** we would like to see an amendment in legislation that ensures that where workers cannot obtain remedy from their employer (a company), company officers who are found to have connived or consented to the issue, or contributed to it due to neglect, can be held jointly liable for the payment of associated tribunal awards or settlement amounts. This wording is already contained in the bill in relation to the new offences it creates/consolidates, and is contained in other pieces of legislation such as the Fraud Act 2006 and the Employment Agencies Act 1973.

The work of HMRC will be of great importance as the UK transitions to having a single labour market enforcement body in the proposed new Fair Work Agency (FWA). Last year, we provided evidence to the ODLME on the priorities for the new FWA which have relevance to minimum wage enforcement work as well.[50] The main recommendations from our submission were:

- The priorities for employment rights enforcement as we transition to a new FWA should be:

  - Building trust with vulnerable and under-unionised workers, particularly those on employer-sponsored visas;
  - Setting up a comprehensive client charter that outlines the reporting journey, the remedies available to workers, and any risks involved in reporting;
  - Mapping out cross institutional barriers to enforcement (such as delays, resourcing, limits to director liability), to promote a joined up approach; and
  - Taking the steps to develop an enforcement-based approach (rather than compliance-based one).

- The FWA should provide regular reports on topics prescribed by the International Labour Organisation's Guidelines on general principles of labour inspection (the ILO Guidelines).[51] This includes "a list of laws and regulations bearing on the work of the labour inspection system, data on the staff of the labour inspection service, the workplaces liable to inspection and their respective number of employees, inspection visits, violations and penalties imposed, industrial accidents and occupational diseases".

- Data around the FWA's impact and activities should be published on a more frequent basis, including on service demand, key performance indicators, worker demographics and employer profiles. Raw datasets should be published (in a similar way to Home Office statistics), allowing external stakeholders to produce their own analysis and assessment of the figures. Finally, the FWA should provide greater contemporaneous analysis of published figures and what these mean for the current state of labour market enforcement and priorities.

- The FWA should feature migrant workers and/or their representatives on its advisory board to help the agency to identify and adequately respond to risks particular to migrant workers in a more efficient way than previously.

- The FWA should run more stakeholder engagement groups/forums which are thematically and/or sectorally organised. Greater emphasis could be placed on turning these activities into two-way conversations about trends and insights on the ground. This would allow frontline organisations, and the FWA to confirm trends and patterns, and devise ways of collaborating, including by sharing intelligence on non-compliance and streamlining the journey from reporting to investigation. A similar point can be made in respect of escalation channels between worker support organisations and the new FWA. We endorse a social partnership model to enforcement that has previously been echoed by the Low Pay Commission.

- The FWA should be communicated to migrant visa workers as part of the documentation that they receive from the Home Office before and during their journey to the UK. This could include featuring the FWA as part of updates from the Home Office sent to workers when their visa application has been

successful. Similarly, we would recommend making the FWA more prominent across all relevant .GOV webpages, but in particular all work visa pages that are accessible to workers through the .GOV domain.

The FWA should also explore its presence in atypical social media and online messaging contexts. For example, our experience is that many migrant workers often access information about their rights and entitlements (whether this is accurate or not) through Facebook groups, Telegram chats and other applications. It is important that the FWA establishes a presence in these forums to dispel misinformation or, at the very least, engages with frontline organisations to track developments in these spaces, to advertise its work and make public worker-facing information documents.

- To the extent that the new FWA incorporates secure reporting as part of its engagement, it should be made clear to workers that reporting a grievance will not involve the sharing of details around their immigration status. In addition, labour market enforcement agencies should end the practice of simultaneous and coordinated raids with immigration authorities, while guidance should be introduced to prevent labour enforcement agencies and local authorities from actively enquiring about workers' immigration status.

- We emphasise that the new FWA must have operational independence from the Home Office and must enable secure reporting pathways to prevent immigration enforcement from stifling the FWA's core activity of enforcing all workers' rights. This is in accordance with the ILO Labour Inspection Convention 1947 (No.81), which stipulates that "any further duties which may be entrusted to labour inspectors shall not be such as to interfere with the effective discharge of their primary duties or to prejudice in any way the authority and impartiality which are necessary to inspectors in their relations with employers and workers". For example, we envisage that the new FWA could and should inform Home Office policy decisions around migration, to ensure that our immigration rules are not causing or contributing to worker exploitation.

- The FWA must ensure that its enforcement of employment rights happens in a complementary way to the enforcement of rights through the tribunal system. That includes any relevant assistance that can be provided around the enforcement of tribunal judgments and orders. Similarly, the FWA should work closely with the Ministry of Justice to understand prospective issues around capacity and funding in the justice and legal advice system, as this has and will have a knock-on effect on the FWA, its capacity and its importance as an avenue for the enforcement of rights.

- The FWA should prioritise its resources towards a more enforcement, rather than compliance-led approach. Previous analysis has demonstrated that the UK already has a weak labour market enforcement system by international comparators, and that a compliance-led approach leads to lenient treatment

when violations are uncovered. Moreover, the DLME has already remarked that it is difficult to measure the impact of compliance measures and their efficacy among employers. Similarly, the ILO Guidelines state that "most of inspectors' time should be devoted to visiting workplaces" and that workplaces should be "visited as often and as thoroughly as necessary to ensure the effective application of the relevant legal provisions". As a general rule, the Guidelines also state that inspection visits should be unannounced. For these reasons, an enforcement led approach is preferable and tying the key performance indicators of the FWA back to improvements in worker welfare, their financial standing etc. will ensure greater impact and accountability.

- The UK could learn from other countries like Austria, Denmark and Sweden in operating a central labour enforcement body that also has regional offices.[52] This is essential as the current dispersal of labour inspectors across the devolved regions is imbalanced. In answer to a written parliamentary question in September 2024, the government disclosed that the Gangmasters and Labour Abuse Authority currently has two officers stationed in Northern Ireland and one officer stationed in Scotland. Though funding is required to employ additional staff, this is an unacceptably low number of officers to cover an entire devolved region of the UK. Local offices are also required to better understand and deal with local issues.

- The FWA must be resourced properly. Having 1 labour inspector for every 10,000 workers is a shorthand for minimum resource requirements, but a more detailed assessment could be carried out taking into account:

    - the number and nature of the functions assigned to the inspection system;
    - the number, nature, size and situation of the workplaces liable to inspection;
    - the number of workers in the labour market;
    - the number and complexity of legal provisions to be enforced;
    - the material and financial resources available to the inspectorate; and
    - the practical conditions under which visits of inspection must be carried out in order to be effective.

Accommodation Offset

The Accommodation Offset increased by 6.7 per cent in April, to £10.66. What has been the effect of recent increases in the offset on employers' decisions on the provision of accommodation?

What impact does the offset have on workers? What are the hours, pay and working conditions of workers for whom the offset is deducted?

Our response to this section is limited to how the Accommodation Offset applies in respect of migrant workers under the SW visa, as this is the portion of our client base that is most affected by the Offset. As mentioned in last year's submission the Accommodation Offset can and often is used to suppress workers' earnings. Under the SWS, the accommodation offset represents yet another cost/deduction/financial burden that encumbers workers, alongside the other factors mentioned earlier in this submission. The new interpretation of the rule around requiring 32 hours of pay each week to be provided to workers on the scheme should in theory mean that workers are better able to afford the Offset, however implementation of this has been patchy.

Whilst issues related to unsafe accommodation for seasonal migrant workers have been highlighted as an enforcement gap as far back as 2009[53], this remains a priority issue. DEFRA's own seasonal worker survey results from 2023 reflect these accommodation issues. For example, accommodation was the second most common type of complaint following DEFRA's coding of free text responses, while 16.4% of those surveyed suggested that information about conditions of accommodation provided during recruitment were not accurate.

As we have previously outlined, standards of accommodation are very vague in Home Office guidance to scheme operators - workers are required to be "housed in hygienic and safe accommodation that is in a good state of repair". The Home Office also says that accommodation is ultimately the remit of local government but there is little that councils can do in practice, particularly around licensing. Under Schedule 1, paragraph 7 of the Caravan Sites and Control of Development Act 1960, a site licence is not required for caravan sites on agricultural land if it is being used to accommodate persons employed in farming operation on the land. However, Schedule 1 also permits local authorities to apply to the relevant Minister to have this and other similar exemptions contained in Schedule 1 withdrawn, allowing them to licence sites. After submitting a Freedom of Information Request to the Department of Housing, Levelling Up and Communities, it was disclosed that the department did not hold any information to suggest that any local authority across England and Wales had made such an application. In Scotland, we are aware that only Angus Council has applied for and been granted a relevant order and has operated a licensing system since 2012. Thanks to input from the Worker Support Centre, we now know that 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.[54]

Economic outlook

What are your views on the economic outlook and business conditions in the UK for the period up to April 2026? We are particularly interested in:

- the conditions in the specific sector(s) in which you operate.
- the effects of Government policies and interventions.
- the current state of the labour market, recruitment and retention.

Our focus in this section is the government's recently published immigration white paper in May 2025. Our general view of the white paper is that it is a confusing document, which is sometimes at odds with its own stated goals, particularly around ensuring a fair and effective system that supports integration and community cohesion. Our other primary concern is that the document is weak on addressing exploitation affecting different cohorts of migrant visa workers. The obstinate focus on reducing net migration is likely to have damaging side effects for workers and businesses which we discuss below.

Firstly, there is some concern that certain sectors will struggle to meet demands for labour in the short-medium term as a result of the government's changes around skilled work-migration policy. This is perhaps most pressing in the case of social care where the government announced an intention to end the overseas recruitment of migrant care workers entirely. Under this change, existing sponsored care workers will be able to continue to extend their stay in the UK, change sponsors and apply for indefinite leave to remain, including those who end up needing to switch employers after their sponsor's licence has been revoked. This has been confirmed until 2028 but the position will be kept under review.

The government's rationale in ending international recruitment in social care was that there would be a boost in the domestic care workforce and that the thousands of displaced migrant care workers in England would be given the opportunity to do the jobs they were initially promised. However, as we have stated earlier in this submission, the rematching scheme for displaced workers is not currently working effectively. Similarly, though the government has suggested that sectoral measures like the expansion of the Care Workforce Pathway and Fair Pay Agreements will help the sector, the impact of these are unlikely in the short term, particularly without any new long-term funding settlement for social care. A combination of the two mean that the government's plans regarding international recruitment in the sector may go up in smoke before they have even got off the ground.

We are also concerned about the government's plans for roles designated below RQF level 6 (below graduate level roles). Here, the Temporary Shortage List will allow immigration into lower-skilled occupations on a time-limited basis, where the MAC has

advised that this is justified, where there is a workforce strategy in place, and where employers seeking to recruit from abroad are committed to increasing recruitment from the domestic workforce. There will be new restrictions on bringing dependants for occupations on the list.

It is not clear whether "time-limited" access means that sectors will only be able to hire migrant visa workers in a set window, or whether workers themselves will be placed onto shortened visa routes, with no rights to extension or settlement (as per the Seasonal Worker visa already operating in horticulture). We are particularly concerned at the prospect of the latter for a few reasons:

1. **Costs for workers -** Depending on workers' country of origin, the costs of coming to the UK (namely visa fees, the Immigration Health Surcharge, travel, and other relocation costs), can run into the thousands of pounds. This is even higher when accounting for the prevalence of illegitimate "middlemen" and recruitment costs which have become a staple in the international labour migration story. Relocation is therefore often funded through loans, meaning that workers can spend much of their limited time in the UK simply paying off debt. On the SW visa, for instance, nearly half (48%) of workers were unable to fund their pre-arrival costs through savings alone.[55] Time-limited routes therefore prevent migrant workers from having sufficient continuity of employment and income to make their journeys financially viable, and subsequently increase the risk of debt bondage situations.

2. **Ability to report non-compliance –** related to the above, short-term routes can make it harder for workers to report and take action against employers who breach their rights. Previous research into time-limited visas has shown that their short-term nature disincentivises workers from speaking out about exploitation, as they hope to maximise their earnings in the little time they have in the UK.[56] Reporting non-compliance and potentially taking legal action is also a time-consuming process. Even if workers decide to progress legal claims from outside the UK, there are procedural barriers that can weaken their ability to substantiate their claims (e.g. the requirement for countries, at a diplomatic level, to positively approve giving evidence to a UK court or tribunal from overseas).[57] Time-limited visas therefore hinder workers from raising grievances and enjoying practical access to their employment rights in the UK.

In addition, the government's announcement to extend the qualifying period for settlement is a concern for both workers and employers. The standard qualifying period for settlement will be increased from five to 10 years. Shorter periods will be available for non-UK dependants of British citizens, while the government has also confirmed individuals will have the opportunity to reduce the qualifying period based on "contributions to the UK economy and society". Similar reforms will be introduced in relation to citizenship, with greater standard qualifying periods that can be reduced to allow those with "greater contributions" to qualify sooner. Other measures include refreshing the Life in the UK test and a welcome commitment to reducing financial

barriers for young adults to access British citizenship (for those living in the UK since childhood).

Firstly, increasing the time before migrant workers can become settled or British citizens is likely to disincentivise some from picking the UK when considering their international options for labour migration. For example, Dr. Madeleine Sumption, Deputy Chair of the Migration Advisory Committee (MAC), has noted that the change will make the UK "more restrictive than most other high-income countries".[58] This means businesses may find it harder to recruit internationally, particularly in specialist and highly skilled roles the government is otherwise looking to target.

Though carve-outs are envisaged based on a currently nebulous principle of "contribution", it is hard to see how this policy will attract the "brightest and best" talent the government is focused on. The prospect of having to make further extension applications and incur further sets of associated fees and costs will put many workers off the UK entirely. Previous experience tells us that the risks associated with delaying access to the rights and benefits that come from settlement are not abstract. For example, previous research into the 10-year route to settlement has detailed the financial hardship, mental stress and insecurity borne from the length and cost of a protracted process to achieve indefinite leave to remain.[59] The effects of this policy change are likely to be similar - a greater number of people put in limbo for longer, and increased chances of families falling into irregular migration status and destitution. The plans are particularly damaging because it appears that they are intended to apply retrospectively (i.e. for people already in the country who applied at the time when the qualifying period for settlement was only 5 years).

Equally, existing and prospective sponsors will incur the costs of sponsorship over a longer period of time before their migrant workforce acquire Indefinite Leave to Remain, making the process of hiring migrants much more expensive. To put this into perspective, the cost (covering a Certificate of Sponsorship, the Immigration Skills Charge, the visa application fee and Immigration Health Surcharge) for a single Skilled Worker with no dependants to spend enough time in the UK before becoming eligible for Indefinite Leave to Remain could rise from around £12,219 to £27,870. Assuming an employer covers the cost of only the Certificate of Sponsorship and the Immigration Skills Charge, this would represent an increase of £8,725 per migrant worker they hire. This calculation does not take into account other increased costs arising from proposed salary increases in the white paper.

Finally, there is some mention of tackling exploitation, but these extracts lack any cast-iron commitments on the issue. For example, the government has said it will explore "innovative financial measures, penalties or sanctions, including for sponsors of migrant workers or students, which will incentivise them to show greater responsibility in their sponsorship practices…". It will also "explore […] making it easier for workers to move between licensed sponsors for the duration of their visa, giving them more control over who they work for and reducing the risk of exploitation". However the government has not provided any further details on these announcements, nor have they outlined whether they will be subject to a consultation

process. Without the worker-orientated reforms we have set out in this submission, the government is only likely to entrench the two-tier access to employment rights that currently exists between migrant visa workers and other cohorts of workers in the labour market.

To what extent have employers been affected by other major trends in the economy and labour market: for example, tariffs, inflation, Brexit, the shift to homeworking or changes in the numbers of migrant workers in the UK?

As we outlined in our 2024 submission, a switch in emphasis to sponsored work routes for migrant workers continues to have a great impact on workers, employers and the government.

Demand for migrant workers on sponsored visas has generally continued to be strong but has been affected by recent immigration rule changes in 2024. For example, changes introduced by the previous Conservative government banned new international care workers from bringing dependant workers to the UK and increased salary thresholds for a number of occupations by 48% to £38,700 per annum.[60] This has had a tangible impact on numbers - for example, in 2024 a total of 57,700 entry clearance applications under the Skilled Worker route were granted. This compares with the figures for 2023, where the number was 65,123. Data for Q1 2025 suggests this downwards trend will continue, with less than half the number of Skilled Worker visas granted than in Q1 2024 (8,565 compared with 17,538).[61]

We suggest that the new system of sponsorship continues to be a bad deal for all involved:

For employers – compliance with Home Office rules and processes continues to be an additional burden for employers looking to hire migrants, while the system is increasingly costly. For example, the cost of acquiring a sponsor licence and issuing a Certificate of Sponsorship have both risen since 9 April 2025. Equally, in light of the government's immigration white paper, which in particular will raise salary thresholds, increase the Immigration Skills Charge by 32% and force sponsors to pay costs of extending workers' visas for a longer period of time, the system will only get more expensive and cumbersome.

For workers – as we have discussed, the current system of sponsorship results in a lopsided relationship of dependency between workers and their employers. The lack of flexibility that workers have to switch jobs means they are in a more precarious position as compared to British nationals and even other settled migrant workers who are not subject to the same immigration restrictions. It is our view that the sponsorship system encroaches on the fundamental rights of workers to withdraw their labour. Though additional safeguards could be built into the system, which would have a great practical impact on worker power and mobility, by definition the system is problematic because it ties workers' immigration status to their employer. The system is increasingly costly for workers too, as various visa application fees have increased in recent times.

For the Home Office – regulating the growing number of registered sponsors has become increasingly challenging for the government. In Q1 2025, there were 114,249 registered Skilled Worker sponsors (an all-time high). In its recent report on Skilled Worker visas, the National Audit Office identified that although the Home Office has increased its general compliance checks on the route (likely as a result of well-documented exploitation of migrant care workers in social care on the HCW visa), resource constraints have meant that just 1% of sponsors have been referred for compliance checks, with over half of live cases awaiting a compliance visit.[62] Similarly, the Home Office has "not yet developed a systematic assessment of risks and has limited data on the extent of workplace exploitation and sponsor compliance with requirements of the route". [63]

For any queries or for further information relating to this submission, please contact research@workrightscentre.org.

---

[1] Living Wage Foundation, "What is the Living Wage as an annual salary?", available at: https://www.livingwage.org.uk/node/29657

[2] Sehic, A., Vicol, D., Savitski, A., "The forgotten third: migrant care workers' views on improving conditions in England's adult social care sector." Work Rights Centre, November 2024, available at: https://www.workrightscentre.org/media/rr1hklek/the-forgotten-third-migrant-care-workers-views-on-the-care-sector.pdf

[3] Home Office, "Rogue employers will be banned from hiring overseas workers", 28 November 2024, available at: https://www.gov.uk/government/news/rogue-employers-will-be-banned-from-hiring-overseas-workers

[4] Department of Health & Social Care, "Code of Practice for the international recruitment of health and social care personnel in England", available at: https://www.gov.uk/government/publications/code-of-practice-for-the-international-recruitment-of-health-and-social-care-personnel/code-of-practice-for-the-international-recruitment-of-health-and-social-care-personnel-in-england

[5] Home Office, "New rules to prioritise recruiting care workers in England", published 12 March 2025, available at: https://www.gov.uk/government/news/new-rules-to-prioritise-recruiting-care-workers-in-england

[6] House of Commons, Oral evidence to the Public Accounts Committee (Immigration: skilled worker visas, HC819), Thursday 8 May 2025, available at: https://committees.parliament.uk/oralevidence/15875/pdf/

[7] Murray, "Less than 4% of exploited care workers helped by UK government scheme", The Guardian, published 6 June 2025, available at: https://www.theguardian.com/society/2025/jun/06/less-than-4-of-exploited-care-workers-helped-by-uk-government-scheme

[8] Seasonal Worker Interest Group, submission to ODLME Labour Market Enforcement Strategy 2025/26 call for evidence, December 2024, available at: https://www.workrightscentre.org/media/5zgce5vz/odlme-swig-submission-1224.pdf

[9] Migration Advisory Committee, "Review of the Seasonal Worker visa", published July 2024, available at: https://www.gov.uk/government/publications/seasonal-worker-visa-review/review-of-the-seasonal-worker-visa-accessible

[10] UNOHCR, "UK: Migrant workers must be protected from deception and exploitation say UN experts", 3 June 2024, available at: https://www.ohchr.org/en/press-releases/2024/06/uk-migrant-workers-must-be-protected-deception-and-exploitation-say-un?s=09

[11] Department for Environment, Food and Rural Affairs (DEFRA), "Seasonal workers survey results 2023", available at: https://www.gov.uk/government/publications/seasonal-workers-pilot-review/seasonal-workers-survey-results-2023

[12] Ibid.

[13] Home Office, "Workers and Temporary Workers: guidance for sponsors: sponsor a seasonal worker", 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

[14] DEFRA, Seasonal workers survey results 2023

[15] Focus on Labour Exploitation (FLEX), "Bearing fruit : Making recruitment fairer for migrant workers", published April 2024, available at: https://labourexploitation.org/publications/bearing-fruit-making-recruitment-fairer-for-migrant-workers/

[16] Work Rights Centre, "Call for Supermarkets to pay the recruitment and travel costs of migrant workers", May 2024, available at: https://landworkersalliance.org.uk/wp-content/uploads/2024/05/Sedex_EPP-LWA-statement.pdf

[17] Home Office, "Transparency in supply chains: a practical guide", updated 27 March 2025, available at: https://www.gov.uk/government/publications/transparency-in-supply-chains-a-practical-guide/transparency-in-supply-chains-a-practical-guide-accessible

[18] DEFRA, Seasonal workers survey results 2023

[19] Ibid.

[20] Ibid.

[21] University of Nottingham Rights Lab, "Seasonal migrant workers in the UK agricultural sector: grievance mechanisms and access to remedy", October 2024, available at: https://www.nottingham.ac.uk/Business/Documents/ICCSR/Seasonal-Migrant-Workers-in-the-UK-Agri-Sector-Report-Oct-2024.pdf

[22] DEFRA, Seasonal workers survey results 2023

[23] Ibid.

[24] Ibid.

[25] Ibid.

[26] DEFRA, "Farming Minister Mark Spencer: National Farmers Union Conference", published 21 February 2023, available at: https://www.gov.uk/government/speeches/farming-minister-mark-spencer-national-farmers-union-conference

[27] Response to Written Question UIN 14386, 21 February 2024, available at: https://questions-statements.parliament.uk/written-questions/detail/2024-02-16/14386#:~:text=Since%2012%20April%202023%2C%20Seasonal,2022%20and%20(b)%202023.
[28] Migration Advisory Committee, Review of the Seasonal Worker visa

[29] Slaughter and Stone, "Precarious prospects, understanding precarious work among foreign-born workers", Resolution Foundation, April 2025, available at: https://www.resolutionfoundation.org/app/uploads/2025/04/precariousprospects.pdf

[30] A Bogg and M Ford, 'From 'Fairness at Work' to 'Making Work Pay': A Preliminary Assessment of the Employment Rights Bill', UK Labour Law Blog, 14 October 2024, available at https://uklabourlawblog.com/

[31] Ibid.

[32] Gangmasters and Labour Abuse Authority, GLAA Intelligence Picture Q4 2023-2024 (Jan-March 2024), available at: https://www.gla.gov.uk/our-impact/intelligence-picture/glaa-intelligence-picture-q4-2023-2024-jan-march-2024

[33] Sehic, Vicol & Savitski, The forgotten third: migrant care workers' views on improving conditions in England's adult social care sector.

[34] Åhlberg, 'How Work Visa Design Is Driving Exploitation of Migrant Care Workers', Citizens Advice, 11 March 2024, available at: https://www.citizensadvice.org.uk/policy/publications/spotlight-report-no-1-how-work-visa-design-is-driving-exploitation/

[35] Das, "Revealed: migrant care workers in Britain charged thousands in illegal recruitment fees", The Observer, 18 June 2022, available at: https://www.theguardian.com/society/2022/jun/18/migrant-care-workers-paying-illegal-fees-recruiters#:~:text=By%20law%2C%20agents%20cannot%20charge,leaves%20workers%20vulnerable%20to%20exploitation.

[36] Mantouvalou, "Structural Injustice and the Human Rights of Workers", Current Legal Problems, Volume 73, Issue 1, Pages 59–87, 2020, available at: https://discovery.ucl.ac.uk/id/eprint/10108304/3/Mantouvalou_Structural%20Injustice%20and%20the%20Human%20Rights%20of%20Workers_AAM.pdf

[37] United Nations (General Assembly): "International Covenant on Economic, Social, and Cultural Rights," Treaty Series, vol. 993, p. 3, Dec. 1966, available at: https://www.ohchr.org/en/instruments-mechanisms/instruments/international-covenant-economic-social-and-cultural-rights

[38] International Labour Organisation, ILO indicators of forced labour, 1 October 2012 , available at: https://www.ilo.org/publications/ilo-indicators-forced-labour

[39] International Labour Organisation Forced Labour Convention 1930 (No.29), Art. 2, available at: https://normlex.ilo.org/dyn/nrmlx_en/f?p=NORMLEXPUB:12100:0::NO::P12100_ILO_CODE:C029

[40] Niezna M. Paper chains: tied visas, migration policies, and legal coercion. J Law Soc. 2022; 49, available at: https://onlinelibrary.wiley.com/doi/10.1111/jols.12366

[41] Unseen, "Migrant care workers in the UK: how to tackle their exploitation", 6 June 2024, available at: https://www.unseenuk.org/how-to-tackle-exploitation-of-migrant-care-workers-in-uk/

[42] Niezna M. Paper chains: tied visas, migration policies, and legal coercion.

[43] Thomas Gammeltoft-Hansen and Ninna Sorensen Nyberg, The Migration Industry and the Commercialization of International Migration (London: Routledge, 2013).

[44] Thiemann et al, UK agriculture and care visas - worker exploitation and obstacles to redress., 11 March 2024, available at: https://www.researchgate.net/publication/379039620_UK_agriculture_and_care_visas_-_worker_exploitation_and_obstacles_to_redress

[45] Ibid.

[46] Home Office, 'The Home Office Response to the Independent Chief Inspector of Borders and Immigration's Report: An Inspection of the Immigration System as It Relates to the Social Care Sector', GOV.UK, 26 March 2024, available at: https://www.gov.uk/government/publications/response-to-an-inspection-of-the-immigration-system-as-it-relates-to-the-social-care-sector

[47] Savitski & Vicol, "Drop in visas for carers indicates tougher Home Office action on sponsors, but insufficient protection for migrants and the care sector", Work Rights Centre, 28 November 2024, available at: https://www.workrightscentre.org/publications/2024/drop-in-visas-for-carers-indicates-tougher-home-office-action-on-sponsors-but-insufficient-protection-for-migrants-and-the-care-sector/

[48] Home Office, New Rules to Prioritise Recruiting Care Workers in England

[49] Sehic, A, Vicol, D. (2025). Safeguarding sponsored workers. Work Rights Centre. https://www.workrightscentre.org/publications/2025/safeguardin g-sponsored-workers-a-uk-workplace-justice-visa-and-otherproposals-from-a-six-country-comparison/

[50] Work Rights Centre, Evidence submission to DLME Labour Market Enforcement Strategy 2025/26 call for evidence, December 2024, available at: https://www.workrightscentre.org/media/xc2hocbh/20241212_-_worc_evidence_submission_-_uk_labour_market_enforcement_strategy_2025-2026.pdf

[51] ILO, Guidelines on general principles of labour inspection, published 3 May 2022, available at: https://www.ilo.org/resource/guidelines-general-principles-labour-inspection

[52] Focus on Labour Exploitation, "Cring about workers' rights: How a well-designed 'Fair Work Agency' could benefit care workers", July 2024, p.10, https://labourexploitation.org/app/uploads/2024/07/FLEX_Caring-About-Workers-Rights-Briefing.pdf

[53] Wilkinson, Craig and Gaus, "An evaluation of the Gangmasters Licensing Authority", The University of Hull, October 2009, available at: https://oxfamilibrary.openrepository.com/bitstream/handle/10546/126001/evaluation-gangmasters-licensing-011009-en.pdf?sequence=1

[54] Seasonal Worker Interest Group, submission to ODLME Labour Market Enforcement Strategy 2025/26 call for evidence

[55] DEFRA, Seasonal workers survey results 2023

[56] Catherine McAndrew, Oliver Fisher, Clark McAllister, & Christian Jaccarini , "Debt, Migration, and Exploitation: The Seasonal Worker Visa and the Degradation of Working Conditions in UK Horticulture", 10 July 2023, available at: https://landworkersalliance.org.uk/wp-content/uploads/2018/10/LWA-Debt-Migration-and-Exploitation-2023_.pdf

[57] Foreign, Commonwealth & Development Office, "Taking and giving evidence by video link from abroad in UK court case and tribunals", published 1 August 2023, available at: https://www.gov.uk/guidance/taking-and-giving-evidence-by-video-link-from-abroad

[58] BBC News, "PM promises tougher visa rules to fix 'broken' migration system", 11 May 2025, available at: https://www.gov.uk/guidance/taking-and-giving-evidence-by-video-link-from-abroad

[59] IPPR, "Revealed: the 'devastating# impact of 10-year process endured by thousands on course to settle in UK", 2 March 2023, available at: https://www.ippr.org/media-office/revealed-the-devastating-impact-of-10-year-process-endured-by-thousands-on-course-to-settle-in-uk

[60] House of Commons Library, "Changes to legal migration rules for family and work visas in 2024", published 12 December 2024, available at: https://commonslibrary.parliament.uk/research-briefings/cbp-9920/

[61] Home Office, Sponsored work entry clearance visas by occupation and industry (SOC 2020), year ending March 2025, available at: https://www.gov.uk/government/statistical-data-sets/immigration-system-statistics-data-tables#sponsored-work-visas-by-occupation-and-industry

[62] National Audit Office, "Immigration – Skilled Worker visas", published 17 March 2025, available at: https://www.nao.org.uk/reports/immigration-skilled-worker-visas/

[63] Ibid.