



Freedom of Information Act Request

Ref: FOI 22-23 33

Date issued: 31 March 2023

Subject AG Recruitment

Question(s):

Licensing

1. We understand that AGR has now lost its SWV license, but that it is still licensed by the GLAA. Please confirm.
2. We further understand that AGR lost its SWV license condition not for potential exploitation concerns such as those raised in the Media Reports, but because of non-compliance with the rule in the SWV scheme that 97% of workers must return home 'on time' at the end of their six-month visa. Please confirm.
3. If the answer to 2) is yes, please confirm the number and percentage of workers classed as 'overstayers' who also claimed asylum.
4. If the answer to 1) is yes, please confirm the reasons that AGR is still licensed by GLAA, whose express function is '*to protect vulnerable and exploited workers... and regulate business that supply labour to the agriculture*' notwithstanding the Media Reports of exploitation of workers by AGR, and AGR's willingness to work and/or failure to prevent working with illegal third-party brokers.
5. Please disclose the investigations that the Home Office, DEFRA and the GLAA undertook in relation to AGR and any other sponsors.

Due Diligence

6. We understand that current SWV scheme sponsors, including Ethero Ltd, are considering recruiting workers from Bangladesh and India, which are also countries that are known to involve a high risk of labour exploitation. In particular, there is widespread reporting of the charging of illegal recruitment fees to overseas workers by Bangladeshi recruitment agencies. Please explain the due diligence and monitoring Home Office, DEFRA and GLAA are conducting, and/or are requiring the sponsors to conduct, to prevent the involvement of illegal third-party brokers charging recruitment fees.
7. Please confirm if there are any compensations schemes currently available, or being contemplated, for circumstances where the government and the scheme sponsors have failed to prevent a worker being deceived into paying illegal recruitment fees to a third-party broker to obtain their SWV.
8. Please disclose:

- a. the Invitation to Tender for the 2022/2023 procurement process (The Tender Process) for new SWV scheme sponsor licenses (i.e. service providers), and any associated documentation.
- b. the policy framework and verification mechanisms by which the (potential) sponsors' compliance with relevant labour standards is monitored, including whether the Modern Slavery Assessment Tool or a comparable tool has been used, pursuant to the Public Contracts Regulations 2015 which state tenders must have regard to the International Labour Organisation's standards.
- c. how The Tender Process, and the regulation and operation of the SWV scheme in general, has complied and is compliant with the government's new guidance on tackling modern slavery in government supply chains, which highlights agricultural, low-skilled and seasonal workers as at a particularly high risk of exploitation.
- d. the extended SWV Pilot Home Office and DEFRA review for the years 2020 to 2021, as referenced.

Response:

1. The GLAA publishes details of Labour Providers with active GLAA licences on the GLAA Public Register which is available online here: [Public Register \(gla.gov.uk\)](https://www.gla.gov.uk/public-register). As this information is reasonably accessible by other means, we consider this question to be exempt under section 21 of the FOIA.
2. This falls under the responsibility of the Home Office and has been referred to them.
3. This falls under the responsibility of the Home Office and has been referred to them.
4. We do not explain the reasons for the appearance of a company on the GLAA Public Register.
5. Under Section 31(3) of the FOIA, we can neither confirm or deny any investigations which may or may not have taken place into AG Recruitment or any other Seasonal Workers Scheme sponsors. Details of completed compliance inspections of GLAA licenced labour providers are added to our inspection list available online here: [Compliance Inspections - GLAA](#).
6. The Seasonal Workers Scheme is an immigration route which is owned and managed by the Home Office and DEFRA. Currently, Seasonal Workers Scheme Operators and any third party labour providers in their supply chain must hold a GLAA Licence and comply with the [GLAA Licensing Standards](#). Under Duty to Assist (Section 16 of the FOIA), we would direct you specifically to Licensing Standard 7 on Recruitment and Contractual Arrangements.
7. This falls under the responsibility of the Home Office and has been referred to them.

8. This falls under the responsibility of DEFRA and the Home Office and has been referred to them.