



Cynulliad National
Cenedlaethol Assembly for
Cymru Wales

Equality of Opportunity Committee Report Summary

Issues affecting migrant workers in Wales,
their families and the communities in which they live and work

November 2008

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CHAIR'S INTRODUCTION



The Equality of Opportunity Committee is a group of Assembly Members, from different political parties, at the National Assembly for Wales. This is a summary of the Committee's report of its inquiry into the experiences of migrant workers in Wales, their families, and the communities in which they live and work. During its investigation the Committee spoke with a wide range of experts and organisations working with migrant workers. We also tried to speak with migrant workers themselves, visiting an advocacy and advice centre in Wrexham, and meeting embassy representatives.

Today, many people wrongly believe false stories about migrant workers. For example, some people believe that 'immigrants bring more crime', but actually migrants are no more likely to commit crimes, or be the victims of crime, than other UK citizens.

My Committee has made a number of recommendations to the Welsh Assembly Government. I hope that these will ensure equality of opportunity for migrant workers, their families, the organisations and staff with whom they come into contact, and other people in the communities in which they live and work.

If you are interested in the Committee or our report, you can find further information about us at <http://www.assemblywales.org/bus-home/bus-committees/bus-committees-third1/bus-committees-third-eoc-home.htm>.

Unfortunately, this website is only available in English and Welsh, but several of the organisations who gave evidence to our Committee actively help migrant workers to find information, and can provide help and support in other areas. These organisations include:

- All Wales Ethnic Minority Association (AWEMA):
Cardiff - 029 2066 4213
Swansea - 01792 475509
www.awema.org.uk/
- Caia Park Migrant Worker Advocacy and Advice Centre
Wrexham- 019 7831 0984
- Polish Welsh Mutual Association
Llanelli- 015 5477 0867
- South East Wales Racial Equality Council
Newport- 016 3325 0006
www.sewrec.org.uk/
- Voluntary Action Cardiff
Cardiff- 029 2048 5722
www.vacardiff.org.uk/
- Valleys Race Equality Council
Rhondda Cynon Taf- 014 4374 2704

A handwritten signature in black ink that reads "Ann Jones". The signature is written in a cursive, flowing style.

Ann Jones
Chair, Equality of Opportunity Committee

COMMITTEE MEMBERSHIP



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Labour
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Welsh Conservative Party
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INTRODUCTION AND BACKGROUND

What is a migrant worker?

1. There is no single definition of a migrant worker. In their inquiry, Members generally used the definition of a migrant worker used in ‘The International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families’, article 2.1, published by the Office of the High Commissioner for Human Rights (1990). This defines a migrant worker as:

“a person who is to be engaged, is engaged or has been engaged in remunerated activity in a state of which he or she is not a national”.

Will more migrant workers come to Wales in the future?

2. The number of migrant workers in the UK may increase in the future, with shifts in the global economic climate, and as other countries might join the European Union. However, it is also possible that the number of migrant workers could decrease. Mr Trepczynski, Minister-Councillor of the Polish Embassy in London, said to the Committee that:

“What we can expect in the case of Poland is that there will be a slow decrease in the number of Poles in the UK...for those who are earning less than £8 per hour, it is practically not economically viable to be in the UK any more”.

How did the Committee gather evidence?

3. In conducting their inquiry, the Committee spoke with a range of witnesses including the Deputy Minister for Skills, front line agencies, representatives of local government, trade unions, law enforcement authorities, embassy representatives, faith groups, and voluntary organisations.

4. The Committee received over 30 pieces of written evidence. The Committee also visited an Advocacy and Advice Centre for Migrant Workers, based in Caia Park, Wrexham.

What did the evidence say?

5. There was agreement among witnesses about many of the key issues for migrant workers, their families, and the communities in which they lived and worked, but different ideas about how to solve these challenges.

6. The five key themes that emerged during the course of the inquiry were:

- Improving access to information for migrant workers and their families;
- Improving access to Language Classes;
- Improving conditions for migrant workers and their families;
- Promoting good relations between migrant workers and their families, and the communities in which they live and work; and,
- Support for organisations and staff who come into contact with migrant workers and their families

Theme 1: Improving access to information for migrant workers and their families

7. Witnesses suggested that many problems for migrant workers occur because they aren't aware of their rights and responsibilities. This can make workers vulnerable to exploitation from bad employers and landlords, or can make them access services in the wrong way.

8. A number of local authorities produce welcome packs for migrant workers, which can contain useful information. The Welsh Assembly Government has also produced a 'Welcome to Wales' information pack. However, there is currently no single information source from which migrant workers can learn about their rights and responsibilities in the UK.

9. Witnesses also said that many migrant workers do not use skills or qualifications gained in their home countries. Witnesses suggested that this was sometimes because of language barriers, and sometimes because employers did not understand migrant workers' qualifications.

Theme 2: Improving access to language classes

10. Witnesses agreed that poor English language skills made it very difficult for migrant workers to learn about, or assert, their rights and responsibilities.

11. Witnesses suggested that more 'English for Speakers of Other Languages' (ESOL) classes needed to be available at different times which suited migrant workers working on shifts. Witnesses commented that volunteers and technology could also help provide English language training with classes.

12. The Deputy Minister for Skills said that:

"we are working up an English-for-speakers-of-other-languages policy, which will be important in addressing these issues".

Theme 3: Improving conditions for migrant workers and their families

13. The Committee heard how some migrant workers were treated illegally at work, for example, by being underpaid. However, relatively few migrant workers complained about being treated illegally. Witnesses suggested that this could be because workers were afraid to make complaints - some workers would not be able to access benefits if they lost their jobs. The Gangmasters Licensing Authority (GLA) commented that:

"if you can make £1 an hour, whereas at home the wage is £1 a day, you are not going to be grumbling about it".

14. The Committee decided that most migrant workers were probably accommodated and employed in conditions which were legal. However, the Committee also decided that some of the conditions of work, like long hours or zero hour contracts, were strictly legal but not desirable.

15. The Committee also heard that migrant workers and their families, who lived in private rented sector accommodation and did not know their rights, could be exploited by bad landlords.

16. The Committee heard that some banks were providing more accessible services for migrant workers. The Committee noted that NatWest had launched a Polish Welcome Account in January 2007 and services, such as telephone and internet banking, were delivered in Polish.

Theme 4: Promoting good relations between migrant workers and their families, and the communities in which they live and work

17. Some witnesses were worried that migrant workers could feel isolated from their communities. However, the Committee heard of a number of examples of migrant workers successfully integrating and forming relationships with local communities and other people from their own countries. For example, Polish nationals were recruited as special constables in North Wales and as volunteer translators and advisors in the Polish-Welsh Mutual Association. Caia Park had developed a Polish Women's Group, facilitated by a native Polish speaker.

18. Witnesses were concerned by many of the myths about migrant workers, fearing that these could encourage discrimination and harassment.

19. Several witnesses also suggested that organisations working to support migrant workers could be better co-ordinated.

Theme 5: Support for organisations and staff who come into contact with migrant workers and their families

20. Several witnesses were concerned that front line services were unaware of, or confused about, migrants' rights. The Welsh Local Government Association commented that sometimes it was difficult for people to understand what rights particular migrant workers had. These rights were determined by how long they had been in the UK, where they were originally from, whether they were a migrant worker or a refugee, etc.

21. The Committee received mixed evidence about front line agencies' use of interpretation services, with some apparently using interpretation services well, and others not.

22. A number of witnesses commented that pressure on front line services to accommodate migrant workers and their families was increased by migrant workers' lack of knowledge of their rights and responsibilities. For example, many migrant workers had not registered with General Practitioners (GPs), which led to increased pressure on Accident and Emergency Services. Similarly, pressure on schools to accommodate children of migrant workers was increased if background information was not provided to the school.

23. Many organisations said that it would be good to know how many migrant workers were likely to move into their area so that they could better plan provision of services. Currently, authorities lacked clear statistics on the number of migrant workers in Wales, let alone forecasts and predictions of those anticipated to come. Members noted that the Office of National Statistics was not able to supply local authorities with accurate information.

RECOMMENDATIONS

Having considered the evidence, the Committee made 25 Recommendations to the Welsh Assembly Government. The Committee recommended that:

Recommendation 1

The Welsh Assembly Government develop a multi-lingual website regularly updated with links to advice available via the websites of relevant public sector, regulatory and governmental bodies. This would also link to reliable sources of information provided in languages spoken by migrant workers. The purpose of this website would not be to provide information, but to direct users to sources of general and locally focused information, acting as an 'information hub'.

Recommendation 2

The Welsh Assembly Government promotes this 'information hub' through: migrant workers' country of origin governments and consulates in Wales; points of entry into Wales; public sector organisations; migrant worker associations and business; and, an updated 'Welcome to Wales' pack.

Recommendation 3

The Welsh Assembly Government enable all local authorities in Wales to develop their own welcome packs, which could be linked to the Welsh Assembly Government's multi-lingual website. These welcome packs should include information on local services and other relevant information such as banking.

Recommendation 4

The Welsh Assembly Government promote understanding of, and access to, existing qualification equivalence information, particularly amongst advisory services, voluntary groups, employers and other relevant organisations.

Recommendation 5

The Welsh Assembly Government establish a forum, including Higher Education Institutes, Further Education Colleges, the CBI, the Federation of Small Businesses, and interested business stakeholders, for determining means by which migrant workers can more effectively utilise their qualifications.

Recommendation 6

The Welsh Assembly Government continue to engage in dialogue with UK NARIC, with a view to enabling smaller employers to utilise the UK NARIC database at reduced cost, potentially through a collective system.

Recommendation 7

The Welsh Assembly Government develop a strategy identifying levels of need for English language training among migrant workers and setting out an action plan which meets these needs. This should set out a timescale of delivery of English language training, and an associated action plan.

Recommendation 8

The Welsh Assembly Government enable organisations to make the most of the existing language skills of their front line staff, to improve communication with migrant workers and their families. This will include:

- a) providing guidance on conducting language skills audits to enable organisations to determine potential language resources amongst their staff; and,
- b) providing guidance on developing staff with specific language skills.

Recommendation 9

The Welsh Assembly Government to conduct research into alternative, flexible forms of language training, including the use of technology.

Recommendation 10

The Welsh Assembly Government seek to agree, with the CBI, the Federation of Small Businesses, and Trade Unions, a voluntary Code of Conduct on the recruitment and employment of migrant labour and encourage employers to sign up to it. The Welsh Assembly Government would positively promote signatories to this code.

Recommendation 11

The Welsh Assembly Government initiates dialogue with the UK Government and relevant stakeholder organisation, to expand the remit of the Gangmasters' Licensing Authority.

Recommendation 12

The Welsh Assembly Government initiate dialogue with the UK Government, with a view to establishing a 'Fair Employment Commission', encompassing the four existing enforcement agencies, with an extended remit to cover all basic employment rights. This Commission would have the power, where necessary, to bring an Employment Tribunal claim on behalf of a worker, and enforcement of an award.

Recommendation 13

The Welsh Assembly Government's Migrant Forum develop strategies to address poor living conditions for migrant workers, engaging the Minister for Housing.

Recommendation 14

The Welsh Assembly Government initiate dialogue with the UK Government with regard to reviewing the UK benefits system, around the principle of providing migrant workers from the A8 and A2 EU member states to have similar access to benefits support as other workers from EEA member states.

Recommendation 15

The Welsh Assembly Government encourage schools to develop links with their counterparts in other countries.

Recommendation 16

The Welsh Assembly Government promote the positive contributions and achievements of migrant workers in Wales to local communities in Wales.

Recommendation 17

The Welsh Assembly Government support organisations working to recruit volunteers from migrant communities to work in community settings.

Recommendation 18

The Welsh Assembly Government facilitate networking of organisations working with migrant workers, with the aim of sharing good practice.

Recommendation 19

The Welsh Assembly Government develop a web based 'information hub' for organisations working with migrant workers. This site would signpost users to the contact details of other organisations working with migrant workers, enabling them to make contacts and discuss good practice. The site would also signpost to regulatory enforcement agencies and other key sources of reliable information. This portal might also provide links to advice on accessing translation and interpretation services.

Recommendation 20

The Welsh Assembly Government organise a one day event to celebrate culture and diversity in Wales, focussing on community integration, including migrant workers.

Recommendation 21

The Welsh Assembly Government develop training for devolved front line services, to enable increased awareness of the rights and responsibilities of migrant workers. This training should provide practical advice on identifying illegal practices, and contacting an appropriate enforcement agency. This training should also provide guidance on cultural diversity and equality issues associated with interacting with migrant workers and their families.

Recommendation 22

The Welsh Assembly Government develop training for front line staff, around use and availability of interpretation services, including both local resources and professional services.

Recommendation 23

The Welsh Assembly Government initiate dialogue with the UK Government to promote the provision of similar training to that outlined in Recommendations 21 and 22 to front line services accountable to the UK Government.

Recommendation 24

The Welsh Assembly Government enable front line staff accountable to local authorities to receive similar training to that outlined in Recommendations 21 and 22.

Recommendation 25

The Welsh Assembly Government, and other agencies, map currently available sources of data, to determine what further information needs to be gathered to establish numbers of migrant workers, and their families, in Wales. The Welsh Assembly Government could then request that front line agencies collect information identified as being required, and make representations to the UK Government to make similar requests. This would enable the collection of appropriate data to assist local authorities in planning their future service provision.