



THE IMPACT OF BREXIT ON EU LABOUR AVAILABILITY

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Brexit will have an impact on EU nationals in the UK dairy industry, with expected changes to immigration and employment law. Currently the UK and EU27 have come forward with proposals only to manage EU labour post Brexit; nothing has been finalised.

What could Brexit mean if you currently employ EU nationals or plan to do so?

Deal or no-deal, there will be no free movement of labour from the EU post-Brexit. Anyone living and working in the UK will need to qualify under UK immigration law. Government has proposed a two-tier immigration system for EU nationals depending on whether they were resident in the UK before or after 31st December 2020, or the date of a no-deal exit.

EU citizens resident in the UK pre-Brexit must apply to the online EU Settlement Scheme for 'settled' or 'pre-settled status'

- **Settled status:** typically granted to individuals with five years continuous UK residency; at least six months in each of the five continuous years in the UK.
- **Pre-settled status;** typically granted to EU nationals who moved to the UK before 31 December 2020 (or date of a no-deal exit). Transferred to settled status after five continuous years residency in the UK.

If settled status is granted the individual can remain in the UK indefinitely.

Who should apply

All EU nationals, EEA and Swiss citizens (except those with Irish citizenship or indefinite leave to enter or remain in the UK) need to apply. A 'UK permanent residency document' offers no exemption. Spouses and family members must also apply.



Key Actions

- Continue current 'right to work' checks until new legislation has been formalised.
- Familiarise yourself with the EU Settlement Scheme and keep yourself updated on changes and developments.
- Sign-post current and prospective employees to the relevant government contacts and information.
- Ensure that you are not providing 'immigration advice' as this is a complex and constantly changing area of regulation.
- Ensure you are not discriminating against employees based on EU citizenship.
- While you are not required to support applicants of the EU Settlement Scheme you may at your discretion and in specific labour shortage areas wish to do so.
- Continue to focus on achieving good staff retention through effective people management.
- Build in assumptions on the impact of these changes into your labour and business planning.

Key dates

The settlement scheme is open for online applications via the government website, with a deadline of 30 June 2021, or 31 December 2020 in the event of a no-deal exit. There is no application fee.

For more information and applications visit: <https://www.gov.uk/eusetledstatus>

Brexit may well make recruiting and retaining high quality staff even harder. Effective staff communication and management is important in order to allay fears and promote staff morale, both of which will aid with the recruitment and retention.

- Regular communication – essential for day-to-day work practice and ongoing clarity for staff.
- Clear working guidelines and protocols; employment contracts and holiday allocation – consider translations for overseas employees.
- Holiday planning – a team calendar, visible to all showing the rota and authorised holiday.
- Opportunities for progression and recognition e.g. trainee milker - assistant milker - milking manager.
- Inclusive work place e.g. employee work clothing, personal milking equipment, staff consultation in business planning.

Weekly staff meetings support all of the above and even consider the use of a translators for really important meetings, to ensure effective communication.



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