

CaSE Immigration roundtable meeting

The following is a summary of a CaSE Immigration roundtable meeting between the science and engineering sector and Home Office officials, on 12th April 2012. The event was kindly hosted by the Institute of Chemical Engineers.

There is a Government mandate to reduce net migration down from approximately 240,000 to tens of thousands. The recent changes reflect the Government's aim of reducing the numbers but also being more selective about the migrants the UK needs. These demonstrate that Britain is open for business. It was emphasised that the HO is keen to protect and encourage the UK as a science hub and that is why the changes encourage scientists to come to work and study in the UK.

It was noted that the previous system had seen high levels of abuse in the student route.

Four key areas of change were highlighted where HO has worked closely to ensure that the changes will help the UK Science Hub to develop and grow:

1. The new exceptional talent route under Tier 1 allows for up to 1000 individuals. To date the numbers have been relatively low, but they still represent high calibre individuals. It's the first time decision making power has been handed over to the sector (the Academies and Arts Council) to assess who is exceptionally talented. The route is being reviewed; the fee will be looked at as well as considering whether to extend this to other bodies such as the Fashion Council. HO is also looking at how to better promote and raise awareness of the route.
2. The cap on Tier 2 has been set at 20,700 for the next two years to allow for forward planning. The minimum skill level will be raised to NQF level 6. Resident Labour Market test has been relaxed for advertising high-level jobs, including PhD level jobs. A review by the Migration Advisory Committee (MAC) of the Codes of Practice for occupations under Tier 2 is forthcoming with particular reference to salary requirements.
3. Certain Tier 5 Government Authorised Exchange schemes have been kept at 24 months, notably those for research, fellowship & training schemes in the field of science and medicine.
4. A new visitor route for "permitted paid engagements" opened on the 6 April, allowing a defined list of professionals to come in for up to 1 month to carry out a specific prearranged

engagement and receive a fee payment for this. Specific activities include experts coming to give a paid lecture, examine students and/or participate in or chair selection panels. It also extends to other categories of professionals. An internal review of the visitor routes will be taking place soon to ensure the rules are as clear as they can be. It is unconfirmed as to whether this will lead to a public consultation.

HO explained that provision had been made for the sector with regards to Tier 4. The rules on permission to work and work placements have not been changed for university

students. Students are able to switch to Tier 2 from Tier 4 with a job offer with a salary of £20,000.

Postgraduate and Government-sponsored students can bring their dependants with them. The funds required to switch from Tier 4 to the entrepreneurial route have been reduced from

£200,000 to £50,000.

An extended student visitor route of eleven months has been introduced allowing students to come and improve their English skills, return home and then apply again once they meet the required standards.

Summary of discussion

Specific Case studies

The example was given of a person from China who had received a bursary of £24,000 to do research at the University of Southampton. This person was refused a visa on the basis that the University of Southampton wouldn't underwrite the mandatory £800 that needed to be in a bank account in the UK – despite the bursary. Direct communication with decision-makers in this situation was difficult due to the use of new intermediary visa-processing bodies. This is not an isolated incident and people have turned these fellowships down as a result of difficulties like this. Are there ways in which bursary-providing bodies can quickly validate that a person is genuine?

HO: It's important both that rules are designed to work in an appropriate way and that the rules are being applied correctly. If necessary an administrative review provides the means required to check if the latter is true. The rules are drafted to be clear and transparent, to ensure they allow the UK Border Agency to conduct the right checks, but with such a system there will be inevitably be a small number of cases that do not quite fit, and we're happy to look at those cases.

A person who had won a prestigious fellowship was forced to return home to Israel whilst switching between Tiers 5 and 2 - this incurred costs of approximately £4000.

HO: Tier 5 is a temporary route, and there is no limit on the numbers coming in that way. The government has implemented a limit on the numbers coming through the longer term Tier 2. It is important to maintain the distinction and not allow migrants to switch in the UK, otherwise that would completely undermine the limit on Tier 2 numbers.

Impact of reforms

The UK's Higher Education sector lost a million pounds worth of students last year as a result of changes to language requirements and bad PR. Some students had offers withdrawn as a result of these changes. What can UKBA do to change the message and are any more changes planned?

HO: Bad PR was the somewhat inevitable result of the scale of reform, a tightening to tackle abuse will still be seen as a tightening. Home Office and other ministers have made considerable efforts to stress

that the UK is open for business. It is hoped that there will be a forthcoming period of stability that should make this easier. No Government will publicly say that there will be no further changes but it is hoped that by working with the education sector, should there need to be further changes, a mutually convenient time for these to happen can be identified.

It's important that current uncertainties about the how net migration decrease will be fully achieved are removed. It's very difficult for universities to work on the basis of dramatic landscape changes while they're making 25-year plans.

HO: It is difficult to know whether the changes that have been made will achieve the targets that have been set. It is possible that further changes will be made and it's not possible to remove student numbers from these discussions. Damien Green is on record that the UK will allow the brightest and best students to come and study in the UK. The prospect of changes which specifically exempt STEM students are unlikely, but as we have said we have gone to great lengths to prioritise university students.

How are UKBA, Foreign and Commonwealth Office and UK Trade and Investments addressing the negative perceptions?

HO: The role of the UKBA is to ensure that the migration system works, that information is clear and easy to use, and that users have a good experience. Promoting the UK as a

destination for study is for the sector and other Government departments but it is not the role of the Home Office or the UKBA.

Post-study work visas

What is current thinking around the post-study work and sandwich courses?

The Government view is that the high quality education available in the UK should attract students and not the ability to work. On post-study work the ability for graduates with a job offer to move into Tier 2 has been retained.

The requirement to move people after six years doesn't lend itself easily to retaining the brightest and best student. In addition, indefinite leave to remain requiring a cooling off period is also problematic in this aim.

HO: Individuals are able to stay beyond six years but they need to meet the salary threshold.

Switching between tiers

Which tiers can you switch between? Is it possible to stay here whilst switching?

HO: The rules are complex and warrant a separate discussion. As a general rule you can't switch out of Tier 5 because this is a temporary employment route.

Short-term visit visas

The new visitor route for “permitted paid engagements” is welcome but it still doesn’t address all problems. Some funders require the people they are funding to give a presentation to a committee (prior to funding) and this is problematic as they are non-paid engagements. This seems to be a particular problem for those people coming from Africa.

HO: The new routes should help in allowing experts/academics to come in for paid lectures (talks) as long as the individual is invited by an HEI, arts or research organisation. Non-paid engagements are not covered by the visitor route for “permitted paid engagements”.

Premium service

Will enhanced UKBA support be part of the premium service?

HO: Premium sponsors will have a named point of contact. UKBA would be happy to speak to colleagues about this. HO colleagues explained that the possibility of fast-tracking applications as part of this service is being looked at. The fees for this service (£25,000 or £8,000 for SMEs) reflect the cost to the agency in providing this service.

Working together

What can the sector do to help the Home Office?

HO: The science and engineering community can play a role in messaging, particularly in countering negative perceptions that Britain is ‘closed for business’ as our recent changes

show that we are very much open.