Introduction

The Convention of Scottish Local Authorities (COSLA), as the representative voice of Local Government in Scotland, welcomes the opportunity to provide written evidence and influence the debate on how immigration policy can be developed to reflect and respond to Scotland’s demographic and skills needs. This submission updates the Committee on earlier written and oral evidence that we have provided to the CTEER Committee and other Scottish and UK Parliament committees.

The Migration, Population and Diversity (MPD) team within COSLA works specifically on migration issues. We work with a range of key partners including the Home Office and the Scottish Government to ensure that migrants are welcomed and integrated into Scotland and the demographic needs of the country are met.

COSLA appreciates Dr Hepburn’s report on options for differentiating the UK’s immigration system and this ensuing call for evidence. COSLA continues to make the case that Brexit and the very real possibility of a reduction of in-migration to Scotland from EU/EEA countries will adversely impact on Scotland’s local authorities. We have particular concerns around the implications for counteracting our demographic challenges and the impact on our workforce and local economy. COSLA supports the need for a flexible immigration system that considers local requirements.

Scottish Local Government key concerns regarding Brexit and migration

Demographics

COSLA and Scottish local government recognise the significant benefits EU migration has brought to our local areas, in terms of helping to counteract our demographic issues. We recognise inward migration has had, and will continue to have, a significant part to play in increasing Scotland’s population. NRS figures show that in the next decade, 10% of projected increase can be attributed to natural increases, while 90% is due to assuming continuing inward migration to Scotland.

We have emphasised the projected increase in population is not at an even rate across Scotland in previous written and verbal evidence and outlined the projected decrease in some council areas and the impact this will have on communities.

We have also highlighted that Scottish local authorities are acutely aware of the demographic challenges that they face. This has been highlighted in their Single Outcome Agreements (SOAs). Just under half of the SOAs state population growth as an outcome and many stipulate this as their principal outcome. Local authorities are conscious that migrants are key to achieving a healthy population in their local areas.
It is worth re-emphasising Scotland is differentially dependent on migration than the rest of the UK. NRS projections using the scenario of no EU migration in the future paint a stark picture for Scotland. There would be a significant impact on the child and working-age populations, and there would be greater impact on Scotland than on the rest of the UK. The projected changes with zero future EU migration between 2014-2039 are: the number of children would change from the current projection of a 1% increase to a 5% decrease, whereas the UK with zero future EU migration would change from the current 9% increase to 3% increase. The Scottish working age population would change from a projected 1% increase to a 3% decrease – the UK would move from a projected 11% increase to 6% increase. In Scotland, the number of pensioners would stay the same at 28% increase and the UK would decrease by 1% from the current projected 33% increase to 32%. The total population for Scotland would increase by 3% in comparison to the current projected 7%. This highlights a significant population challenge for all the UK but with particularly strong implications for Scotland.

**Workforce**

In terms of workforce challenges, many local authorities rely heavily on EU migrant workers. Given the current UK position that we will no longer be a member of the single market, there will be significant implications for the workforce and local economies. Councils are already facing acute shortages in a number of key sectors that would only be exacerbated.

COSLA’s recent Brexit Survey received responses from most Scottish councils. It confirmed the main concerns as EU workforce, Funding, Trade, Procurement and Environment. The survey also confirmed that while there was a core set of views, their relevance and importance varied for different council areas across Scotland. For example, some councils were less concerned about staffing and their ability to deliver services than they were about the effect of withdrawal on the local economies. Others specifically instanced worries in securing care workers, cleaners, community support workers and classroom assistants as well as teachers.

To get a full grasp of the potential implications on teachers, COSLA approached the General Teaching Council for Scotland (GTCS) for a figure on how many teachers in Scotland are EU nationals. According to GTCS records, there are currently 670 teachers qualified in other EU/EEA Member States registered with them. GTCS could not confirm how many of these teachers are active and in employment in Scottish local authority schools, but it is fair to assume that the large majority are. While this is a relatively small proportion of the overall teaching workforce (approximately 1.3%), the implications of being unable to recruit from the EU/EEA are significant and of considerable concern to local authorities.

Regarding social care services, this sector suffers from similar issues to teachers, e.g. rural and regional variation, an ageing workforce, and high vacancy levels. According to Scottish Care figures there is a 28% vacancy level in social care nursing in Scotland. There are a variety of estimates of how many EU nationals work in the care sector. The Accounts Commission Report: Social work in Scotland (2016) has drawn on a 2008 workforce survey which indicates that 6.1% of the social care workforce in Scottish care homes for older people were EU nationals. No
matter what figures we draw upon we can confidently say that if EU migration was drastically curtailed there would be a significant impact on the care sector.

Regarding local economies in COSLA’s recent Brexit Survey, the message was consistent over the challenges to local businesses in securing workers in the agriculture, food processing, hospitality/tourism sectors.

Community cohesion

COSLA and Scottish local government have consistently acknowledged and valued the benefits EU nationals have brought with them in terms of social, cultural and economic values. COSLA is seeking to ensure that citizens’ rights are protected.

Options for differentiating the UK’s Immigration System

A regionally led immigration system – the benefits

COSLA has consistently argued for flexibility within the immigration system in order to meet the demographic and labour market requirements of Scotland. We have highlighted in previous CTEER Committee evidence our concerns if the Points Based System (PBS) was extended to EEA countries, and how the current issues with the system will need to be recognised and addressed. We have consistently voiced concerns about a system in which the aim is to reduce net migration and the bar is consistently raised to the exclusion of particular jobs and sectors (e.g. the care sector).

COSLA supports the need for a flexible immigration system that considers local area requirements. We have lobbied for a more flexible system that can address the needs of the Scottish economy and our ageing population and to accrue more policy levers to encourage people to move to Scotland. Some of the key issues we have lobbied for in recent years have also been identified in Dr Hepburn’s report, e.g. removal of restrictions to Tier 2 visas, the reinstatement of the post-study work visa, and changes to salary thresholds.

We also argue that flexibility should not stop at the national level; the system must also be able to accommodate Scottish local authority areas and their specific needs. COSLA also acknowledges and welcomes Dr Hepburn’s references to COSLA and our role throughout the report. We agree with the principle that we would want and need to be key partners, particularly if devolved immigration powers did come to fruition.

Migrant integration policies – drawing on good practice

We welcome the expectation in the report that if Scotland was to develop its own migration policy COSLA and local authorities would be key players in the discussions. Also, we would hope that an integration policy would draw upon and learn from the significant work being carried out by local authorities to make their areas attractive places to live and work. There are many examples of local policies specifically tailored to attract and retain migrants. For example, a focus on drawing skills and talent from abroad to support public and private sector skills shortages through, for instance, relocation and overseas recruitment packages; the provision of
workplace ESOL to support the retention of migrants in local employment; and the provision of community based adult and family ESOL to enable inclusion and participation of migrants in their local communities.

Migrant integration is a core component of the COSLA MPD team. Through our Migration Matters Scotland (MMS) project, COSLA has worked with local authorities on the integration of migrants in Scotland. As part of this project an online Migration Policy Toolkit has been produced, which assists policy makers across Scotland in supporting their migrant populations. The focus of the toolkit is to help local authorities and their community planning partners to think about how to welcome, integrate and involve migrant communities in Scotland. We have also created an online library and a resource directory as means of improving information sharing and understanding between policy makers, practitioners, researchers and indeed migrants. These resources can be accessed on our website at http://www.migrationscotland.org.uk.

Increasing Scottish influence in UK decision-making

We have a long-standing history in responding to the Migration Advisory Committee (MAC) and have to date had little success in influencing the Shortage Occupation List (SOL) for Scotland and the rest of the UK. For example, we produced a joint response with Scottish Government to the MAC review of the labour market for teachers in primary and secondary education. This included robust evidence from local authorities and Education Scotland. Our joint submission to MAC concluded that even with the innovative work that is going on across Scotland to counteract teacher shortages, we have a clear shortage in STEM subjects, computer science, and design technology. We argued that Maths, Physics and Chemistry teachers should be maintained and Computer Science and Design Technology should be included on the Shortage Occupation List (SOL) (UK and Scotland only). We also noted that the evidence presented growing challenges in Business Education, English and Home Economics. The response was submitted in October 2016. Please find the full consultation response here. The MAC report on teacher shortages was published in January 2017. MAC acknowledged that there are shortages of maths, physics, computer science and science in England and Scotland and recommended these subjects for inclusion in the UK SOL. However, MAC did not recommend the addition of Design Technology, chemistry, business education, English or home economics to the UK or Scottish SOL.

We have a number of issues with the SOL and how effective it is in taking account of Scotland’s labour shortages. The barriers to accessing the SOL has continuously been raised, e.g. the qualification level and pay thresholds. Social Care is a good example of how increasingly high thresholds have served to effectively remove the social care sector from the SOL. In short, we agree there is sense in revising and expanding the Shortage Occupation List for Scotland, in order to make it more flexible to take account of current and future labour shortages. We must also bear in mind that Scotland’s shortages, as with those in the rest of the UK, are not just limited to the higher skilled occupations currently included on the list.
Dr Hepburn’s report identifies the need for substate representation on the MAC in order to advise on labour shortages and skills gaps in Scotland. Again, it would appear to make sense that there a Scottish perspective involved in MAC decision making processes and recommendations.

Scottish Sectoral Agreements

We have emphasised local government’s concerns regarding workforce, particularly in the areas of health and social care and teacher shortages. While in this and previous submissions we have raised concerns on the impact on local economies, particularly in agriculture, fishing, hospitality, the food and drinks, and technical sectors. In this respect, we agree that sector based schemes could be a useful tool for addressing shortages.

However, the current immigration system’s focus on the needs of the labour market also ignores the wider contribution of EU nationals in terms of demographic profiles and the benefits that they bring to communities. If we are looking at an immigration system for EU nationals, it must not be purely focused on the principle that people are only needed to fill temporary gaps. There is real concern that social rights that are available through freedom of movement could be undermined by such an approach. An immigration system must encompass social and integration policies, for example family migration, settlement, access to education and healthcare. Dr Hepburn’s report has paid particular attention to the issue of retention and we would agree that a more holistic immigration system would be a key way of ensuring that people want to stay in Scotland.

Conclusion

Negotiations and policy direction around a potential immigration system for EU nationals is far from clear right now. Therefore, we are not in a position to provide definitive answers. However, it is critical that Scottish local government’s voice is heard in the Brexit debate and our needs recognised and reflected in any potential immigration systems that are developed as a result of Brexit.