



The Scottish Parliament
Pàrlamaid na h-Alba

CULTURE, TOURISM, EUROPE AND EXTERNAL RELATIONS COMMITTEE

AGENDA

26th Meeting, 2017 (Session 5)

Thursday 9 November 2017

The Committee will meet at 9.30 am in the Mary Fairfax Somerville Room (CR2).

1. **Immigration Inquiry:** The Committee will take evidence from—

Dr Alasdair Allan, Minister for International Development and Europe, Rachel Sunderland, Team Leader, EU Strategy and Migration, and Angela Hallam, Principal Research Officer, Scottish Government.

2. **Immigration Inquiry (in private):** The Committee will consider the evidence heard earlier in the meeting.

3. **Work programme (in private):** The Committee will consider its work programme.

Katy Orr
Clerk to the Culture, Tourism, Europe and External Relations Committee
Room Tower T3.40
The Scottish Parliament
Edinburgh
Tel: 0131 348 5234
Email: Katy.Orr@parliament.scot

The papers for this meeting are as follows—

Agenda item 1

Note by SPICe

CTEERC/S5/17/26/1

PRIVATE PAPER

CTEERC/S5/17/26/2
(P)

Agenda item 3

PRIVATE PAPER

CTEERC/S5/17/26/3
(P)



Culture, Tourism, Europe and External Relations Committee

26th Meeting, 2017 (Session 5) Thursday 9 November

Immigration inquiry

The current UK five-tier immigration system

The UK Government has a five-tier visa system for controlling access to the country by non-EEA nationals¹. These tiers cover high-skill/high-value migrants; sponsored skilled workers; low-skilled workers; students; and temporary workers. Each tier contains several different visa categories (and some sub-categories), with varying associated conditions and mandatory eligibility requirements².

As Professor Christina Boswell explained to the Culture, Tourism, Europe and External Relations Committee on 8 December 2016, the tier for low-skilled workers has never been used. This is because it has been assumed that any need for low-skilled workers can be met from within the UK/European Economic Area (EEA) workforce, without the need for visas.

A guide to the five tiers

The House of Commons Library briefing [The UK's points-based system for immigration](#) provides some background on all five tiers. This is reproduced below.

Tier 1: for high skill/high value migrants. Categories for [entrepreneurs](#); [investors](#); [graduate entrepreneurs](#); and [migrants with exceptional talents](#) in science, humanities, engineering, medicine, digital technology or the arts.

Tier 2: for sponsored skilled workers (with a job offer). Categories for [general skilled workers](#); [Ministers of religion](#); [sportspeople](#); and [intra-company transfers](#) (split into 4 subcategories).

Tier 3: for low skilled workers. This tier has never been used because it has been assumed that any need for low skilled workers can be met from within the resident/EEA workforce.

Tier 4: for students. Categories for [child students](#) (age 4-17) and [adult students](#) (age 16 or over).

Tier 5: for temporary workers. Categories for [Youth mobility](#) (limited to certain nationalities) and five sub-categories for classes of temporary worker (with job

¹ EEA nationals have the right to free movement and can live, study and work in the United Kingdom without the need for a visa.

² <http://researchbriefings.parliament.uk/ResearchBriefing/Summary/CBP-7662>

offer/sponsor). The sub-categories are: [charity worker](#); [creative and sporting](#); [government authorised exchange](#); [international agreement](#) and [religious worker](#).

Shortage Occupation List

Under the Tier 2 visa, within the general skilled workers sub-section, the UK Government also operates a [shortage occupation list](#). There is [one list](#) covering the whole of the UK and an additional list for Scotland. To qualify under the Scotland list, the job must be based in Scotland. The Scotland list is additional to those occupations already on the UK list and currently includes two additional occupations – certain categories of physical scientists and specific medical practitioner occupations.

Visas for jobs under the shortage occupation scheme specify a minimum salary to be paid ([currently at least £30,000 per year or the 'appropriate rate' for the job - whichever is higher](#)) along with stipulating that the job must be for 30 hours per week.

How the process works in practice

Research commissioned by the Committee, "[Options for Differentiating the UK's Immigration System](#)" produced by Dr Eve Hepburn described the UK Government's points based system for immigration and subsequent immigration policy:

"In 2008, the UK government created a new Points Based System (PBS) for non-European migrants wishing to come to the UK to work, study and train, whereby applicants are allotted points for possessing characteristics that make them more employable, such as education, technical skills, and work experience. The PBS is based on 5 tiers, each of which has different conditions, entitlements and entry requirements. Tier 1 applies to business migrants; Tier 2 is for skilled migrants; Tier 3 is for unskilled migrants (which has not been used); Tier 4 is for students; and Tier 5 is for temporary workers. Application through any Tier (other than Tier 1) requires sponsorship from an employer or educational institution.

In 2010, the UK government introduced an annual cap on the number of nonEU migrants entering the UK through the PBS; with a limit on net migration of 100,000 per annum. These restrictions were introduced "in light of increasing public hostility towards migration ... the UK government reaffirmed its intention to restrict immigration, arguing that migrants adversely affect social cohesion, create pressure on infrastructure, public services, jobs and wages."

The UK government has sought to account for Scotland's particular needs for skilled labour through a Scotland-specific Shortage Occupation List (SOL) under Tier 2 of the PBS. This allows the Migration Advisory Committee (MAC) – which advises on the PBS – to recommend a different set of shortage occupations for Scotland."

Current immigration statistics

The UK Government regularly publishes Immigration Statistics. The most recent statistics for [April to June 2017](#) summarise the number of people coming into the UK under each of the tiers. Referring to work and study visas, the [summary](#) states:

"Including dependants, there were 92,805 Tier 2 Skilled work visas granted in the year ending June 2017, 1% lower than the previous year (93,980).

Of the 55,118 Tier 2 sponsored skilled work visa applications in the year ending June 2017, there was a 25% increase (1,091 more visas) in the Human health and social work activities sector, which is largely likely to reflect the addition of nurses to the government's shortage occupation list in November 2015. The largest fall was in applications for the Professional, scientific and technical activities sector (-1,552; -14%).

Aside from visitors, the most common visa granted to non-EEA nationals was for study (8% of total visas granted to non-EEA nationals). In the year ending June 2017, there were 213,729 study-related visas granted, an increase of 4%.

In the year ending June 2017, there were increases for the three largest non-EEA student nationalities: Chinese (+17% to 82,200), United States (+1% to 14,400) and Indian (+10% to 11,700) nationals.

Over the same period, the number of university-sponsored study visa applications (main applicants) rose 5% to 170,929. Within the University sector there was a 9% increase for Russell Group universities to 82,521. There were falls for the Further education (-9% to 14,445) and Independent school (-6% to 12,895) sectors; however sponsored applications to English Language schools rose 20% to 2,940. Most of the fall in the Further education sector's sponsored visa applications since the peak in mid-2011 was accounted for by licenses which have since been revoked."

Iain McIver
SPICe Research