

Home Affairs Committee

Oral evidence: [Immigration](#), HC 864

Thursday 2 March 2017, Glasgow

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Members present: Yvette Cooper (Chair); Mr Ranil Jayawardena; Stuart C. McDonald; Naz Shah.

Questions 216-308

Witnesses

I: Dr Alasdair Allan MSP, Minister for International Development and Europe, and Ruth Steele, Head of Migration Strategy, Scottish Government.

II: Lorraine Cook, Policy Manager, Convention of Scottish Local Authorities, and Dr Donald Macaskill, Chief Executive, Scottish Care.

Written evidence from witnesses:

- [Scottish Government](#)

Examination of witnesses

Dr Alasdair Allan MSP and Ruth Steele.

Q216 Chair: Can I welcome everybody to this session of the Home Affairs Select Committee inquiry into immigration, here in Glasgow? Thank you very much to the Royal Concert Hall for hosting us today. This is part of our inquiry into immigration across the country and into whether it is possible to establish a new consensus around immigration that reflects the interests, views and concerns of people in every corner of the United Kingdom. Can I welcome our witnesses today for our hearings here in Scotland? We will be moving on to a public meeting later on this afternoon.

Can I ask our two witnesses first to introduce themselves?

Dr Allan: I have to switch on the microphone. They go on automatically in Holyrood. I am Alasdair Allan. I am the Minister for International Development and Europe in the Scottish Government.

Ruth Steele: Ruth Steele. I head up the migration strategy team in the Scottish Government.

Q217 Chair: Thank you very much. The polling shows that the majority of people in Scotland want to see immigration into Scotland reduced. Can I ask you the view of the Scottish Government as to whether immigration should be higher, should be about the same, should be lower in future or whether you are not focused on the numbers? Dr Allan.

Dr Allan: Thank you for that. There are two or three important but different questions in there. I suppose taking up your last point, are the numbers important? Certainly the Scottish Government recognises that any country needs to have an orderly system around immigration. However, we feel that the targets that have been introduced at a UK level, the net targets on immigration, are a very, very crude measure indeed as to what works. We certainly feel very uncomfortable about the direction of travel that has been taken around these crude net immigration targets. They certainly don't appear to work for Scotland.

Scotland has benefited enormously from people who have come to live here, whether it is people exercising their freedom of movement from other European countries; whether it is people who have come from other parts of the world; whether it is refugees, asylum seekers. The Scottish Government takes a very open view of this and certainly wants to put on the record, again and again, that we value the contribution that people from other countries make, who have done us the honour of making us their home.

Regarding public opinion, I cannot pretend that there are no people in Scotland who disagree with what I have just said. There will be people in Scotland who will disagree with what I have said about the benefits of



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immigration. But in terms of where the polling is at, if you want to look at that, there have been polls done about people's attitudes on that question. For instance, "Is it desirable or is it acceptable, a price worth paying, allowing EU citizens the right to live and work in Britain, in Scotland?" The answer to that is 59% of people say it is; the figure in Britain is 52%. There is other polling evidence you can point to, "Britain should prioritise having access to the European single market". That is 61% in Scotland and 45% in Britain.

You can point to lots of different polls. I have pointed to ones that I certainly believe back up what I have just said, but I think the important poll in Scotland was the one that was conducted at the referendum on Europe, where 62% of people in Scotland said they wanted to remain in the European Union. Of the 38% who didn't, without trying to second guess them too much, a large proportion of them are people who I think would be very favourable towards the idea of a single market and what goes with it in terms of freedom of movement.

Q218 Chair: I want to come on to that in a second. I am just interested in whether the Scottish Government have a formal position on whether they want immigration specifically into Scotland, which could be either EU or non-EU, whether it thinks that that should be higher, about the same, lower or doesn't take a view on what the appropriate number should be.

Dr Allan: We take the view that Scotland is not full up. We are very open in our attitude towards immigration. I come back to the point I made before. Where we differ with the UK Government is that I think if you start to put a crude figure on what net migration should look like, it doesn't work. It doesn't work economically or culturally or lots of other ways. We don't have a figure that we work on. We work on the basis that Scotland needs and benefits from people from other countries and we should be open to that in the future.

Q219 Chair: Thank you. Can I ask you then about the Scottish Government's proposals in terms of the Brexit arrangements? As I understand it, your proposal is for Scotland to remain within the single market and retain free movement. Given the UK Government have said they do not want to retain free movement, how would you see that working?

Dr Allan: Sometimes there are differences of opinion between the UK and the Scottish Governments. This would appear to be one of them. More importantly, it is probably a difference of opinion between people in Scotland and the UK Government on this matter. How would it work? We have put together a series of proposals, which I should explain from the outset are not about Scottish independence. They are about seeking to find a compromise within the structures of the UK that would allow Scotland to maintain the links it has with the single market and, as a consequence of that, the rights that go with the freedom of movement of people.



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I will not sit here and pretend that any of that is simple—as you will be well aware, nothing to do with Brexit is simple—but it is an honest attempt at finding a compromise and a way forward that recognises that people in Scotland, as they have expressed at the ballot box, with representatives in the House of Commons from Scotland and the Scottish Parliament have all indicated they want to maintain some kind of relationship with the single market. I don't see that it is possible to distinguish or to differentiate between membership of the single market and freedom of movement of people. They are both useful for us and they are both set out in the proposals that we have put forward. As I say, the proposals are not about independence. They are about seeking to find compromise and we welcome the fact that there are conversations with the UK Government ongoing about that.

Q220 Chair: How will you see it working in practice? Suppose that you maintained free movement for Scotland but the UK Government wanted restrictions for England and Wales. How would you see that working in practice?

Dr Allan: It is interesting that we are meeting on the day that there are elections in Northern Ireland. Of course this is a live issue there, but my view and the Scottish Government's view would be, given that the UK Government have repeatedly said that a solution can be found that will avoid a hard border between two independent states, then I have every confidence that it is possible to find a solution that avoids a hard border under the arrangements that we have proposed. Other organisations outside the Scottish Government are saying the same. Just this week the Scottish Chambers of Commerce have said something very similar. They have indicated that they don't see any need for a hard border based on the proposals we have put forward.

It is worth saying as well that much of this would be subject to negotiation, obviously, but the situation that we are envisaging, if the UK authorities are putting in place—as they appear to be doing—measures that essentially require all sorts of information about people seeking either housing or jobs south of the border, that is a matter for the authorities at a UK level to look at. But we certainly want to find arrangements in Scotland that work.

Q221 Chair: Do you have any examples? For example, if somebody comes to Glasgow, maybe seeking work or comes through the normal free movement arrangements from the rest of the EU to Glasgow but then travels to Newcastle or travels to London, what would you see as being the options as to ways in which the UK Government could have one system for somewhere else around the country or a different system for Scotland? Ms Steele, do indeed respond if it is easier to do so.

Dr Allan: We can both come in on that, but I think the point I have just made—and I will maybe elaborate on it a bit more—is that some of this depends on the attitude of the UK Government themselves. At the moment, we await their response on a whole range of issues. As much as



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I can discern it, the direction of travel in the UK appears to be looking for all sorts of paperwork around getting housing and getting jobs. It is difficult to envisage how somebody who came in through the route that you are talking about would be able to access those services if that was the case in the rest of the UK. Ultimately, these things are operational questions that we want the UK's views on. The UK Government may have criticisms of our proposals, but we need to know what those criticisms are before we can get to the stage of trying to work out that level of operational detail.

Ruth Steele: Just to reiterate what Dr Allan said there, it is difficult to come up with concrete solutions until we understand what the whole of the UK is planning. From what the Prime Minister and others have said in this, we assume that the UK plans to put in place restrictions on people from the EU accessing employment in order to control migration. At the moment, we would envisage people coming into Scotland through the same routes as they do now, so freedom of movement would not change in Scotland. It would only be if someone moved elsewhere in the UK and tried to take up employment that the UK's enforcement would then come into play; whatever enforcement the UK puts in place to manage those numbers would impact on their ability to access employment or other services.

It is my understanding from what has been said that the UK plans to manage the external borders for EU nationals in much the way it does now, so someone coming from France and arriving into the UK, regardless of whether it is Scotland or London, would access that in much the same way as they do now. It would just be at the point where they access services or employment that there would be an issue in terms of limiting migration.

Q222 **Chair:** Your proposals at the moment rely on a model where the UK Government decides not to restrict entry at the border, but simply to restrict access to employment or to other things?

Dr Allan: Our model essentially relies on what we believe is in Scotland's interests and in the interests of our economy and our society. We have tried to fashion the proposals around that. As I say, until the UK Government gives us a clearer indication of what their response is to these proposals, I can't really tell you how they would make their side of it work. But certainly, as Ruth has indicated, the direction of travel in the UK is very much along the lines of looking for such an amount of information before you can access services and places to live and work. It would be on the UK authorities to manage that situation.

Q223 **Mr Jayawardena:** Dr Allan, it seems that we all have to get used to putting our microphones on. Indeed, that is perhaps something Holyrood and Westminster share.

Dr Allan, you said earlier that immigration targets don't work, in your view. If that is the case, what immigration controls do you think the



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people of Scotland are seeking? Because they clearly want a reduction in immigration, despite having—as the Chairman said—a lower proportion of migrants.

Dr Allan: When you put the question to people, when you ask people, “Are you prepared to choose between being in the single market and restricting perhaps European immigration through restricting the rights of freedom of movement?”, people in Scotland are choosing to go with freedom of movement of people. It was certainly something that featured in the Brexit referendum very strongly in Scotland. It is the view of the majority of our elected representatives in the House of Commons—it is the view of all but one.

Q224 **Mr Jayawardena:** With respect, if we focus on the issue of immigration itself—I take your point about wider issues and balancing out the different competing interests—people do want more control. My question to you is: if a target of whatever number in whatever way isn’t the answer, in your view, what is the answer? What controls could the Scottish Government support to make sure that the people of Scotland are heard?

Dr Allan: It is very important to give some indication of where Scotland is coming from on this. You rightly mentioned that there are people in Scotland who will disagree with everything I have to say today, but Scotland is coming from all of this in a situation where, for the last 50 years, our population has either flatlined or in many years has declined. We recognise that 90% of the population growth in Scotland over the next 20 or 30 years is going to come from people coming to live here from other countries. We recognise the demographics, the ageing population, all of which puts us in a situation where we can either have free movement of people or we can face real economic and social consequences that come from not having the same freedom to move about.

I think that the UK Government’s immigration targets and rules around that are not appropriate to the needs of Scotland. We think a fair and sensible immigration system should be sufficient to manage the numbers of migrants, but a system that is based on an arbitrary cap is not going to work.

Q225 **Mr Jayawardena:** I have asked the question a number of times, but I am not going to get an answer on what controls you think should be sought.

Perhaps I can move on to a slightly different way of perhaps eliciting some further clarification on this. Clearly, before the United Kingdom was a member of the European Community—it is now the European Union—people did come to live in the United Kingdom from elsewhere in the world, including from Europe. That could still happen once we have taken control of our borders. Given that the results of the referendum mean that the United Kingdom will be leaving the European Union, given that



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the Scottish people—alongside people across the rest of the United Kingdom—have said they want more control over immigration, surely leaving the European Union can still allow what you say is necessary for the Scottish economy, which is people coming and filling jobs that need to be done, growing parts of the country here where there would otherwise be a declining population, in a controlled manner that is controlled by us in the United Kingdom, rather than through pure free movement?

Dr Allan: Even if I were to accept the premise of that, about leaving the European Union, I think one thing that people in Scotland and Britain did not vote on was the idea of leaving the single market and leaving the freedom of movement of people. I have to emphasise that however this journey pans out constitutionally, I think there is a very, very strong consensus in Scotland around staying in the single market and continuing to enjoy the freedom of rights of movement.

You asked me what kind of system there should be in Scotland to cope with European immigration. I would say to you the answer to that is freedom of movement of people.

Q226 **Mr Jayawardena:** We are not making progress in this area. What I would then go on to say is that the Secretary of State for Scotland has said that UK and Scottish officials are looking at smaller scale alternatives around immigration to recognise—as the United Kingdom Government sees it—that we are leaving the European Union and, therefore, it would be right to seek ways that work in the immigration sphere for all parts of the United Kingdom, such as helping Scotland get the right seasonal workers in agriculture. Could you update us specifically on the progress on these talks—which I hope is a more helpful question, in your mind—and, in particular, on what other small-scale alternatives you might have in mind and the Secretary of State has said he has in mind?

Dr Allan: I have to be honest and say that the models we have in mind are not small scale. They may be what the Secretary of State for Scotland has in mind. We are keen to hear about them, if that is what he would like to talk about.

Q227 **Mr Jayawardena:** You are saying he has not had these conversations with you?

Dr Allan: There are ongoing conversations between the Scottish Government and the UK Government, but what we have put forward is about our proposals. Our proposals have been about freedom of movement of people and about how to guarantee that in future in Scotland. He may have views about smaller scale alternative proposals. We are willing to listen to those, but they haven't been the burden and the substance of the conversations that we have been having as Governments. They have been conversations about our proposals around Scotland's place in Europe, which is centred around the idea of freedom of movement of people.



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Q228 **Mr Jayawardena:** One final question, if I may, Chair. Ms Steele, don't you agree that if the proposals put forward are that there can be free movement into Scotland, then, as the Chair said, if we are to have an open border between Scotland and England, free movement into England would therefore be terribly messy?

Ruth Steele: I don't think that I do agree with that. It could potentially be complex, but it would be dependent on what the UK Government decides they are going to put in place in order to manage EU migration. There could be fixes to that, if we understand what their plans are.

Q229 **Mr Jayawardena:** What would be your fixes? What would you suggest? Being responsible for migration strategy, I am sure you have looked at the implications for England as well as the implications for Scotland, much like the United Kingdom Government are trying to do for Scotland.

Dr Allan: I can come in on that as well, if you want.

Mr Jayawardena: Of course, Minister.

Dr Allan: I won't interrupt your train of thought there at all, but since you ask about whether it is going to be messy, I would come back to the very recent quote that I referred to earlier on from the Scottish Chamber of Commerce: "A different EU immigration policy for Scotland would not result in a hard border with the rest of the UK." When asked about a separate deal on immigration, the Chamber of Commerce said, "I have heard that it is not practical and too complicated. We don't accept that." I think the business community in Scotland is open to ideas, but we have to hear what the UK Government's ideas are.

I suppose I keep coming back to the same point again and again. Forgive me if you don't think it is answering your question, but the UK Government are going down the line of essentially requiring so much information from people before they can access services that it is difficult to see how people coming into the UK via—as you might see it—Scotland would then be able to live or work in England if that was what they intended to do.

Q230 **Mr Jayawardena:** Dr Allan, forgive me, but I don't think that the position that has been set out is very specifically on immigration. To hear from the Chamber of Commerce saying that there does not need to be a hard border, but with no solution to stop it being messy, which was my question to Ms Steele, to stop people being able to have completely free access into England, which is the logical conclusion of no hard border, which is something we want to achieve between England and Scotland—I struggle to see how the Scottish Government's case is made in an effective way.

Dr Allan: If that is the case, then it would be interesting to know what the UK Government's solution is to the conundrum of the border in Ireland, which we are told is no great problem to overcome.



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Mr Jayawardena: An independent state, as you said earlier.

Q231 **Naz Shah:** While talking about ideas, Dr Allan, the Government is reported to be considering a system based on five-year visas for EU citizens seeking to work in key sectors of the economy in both skilled and unskilled. Do you think this approach could work and is it one the Scottish Government might support?

Dr Allan: As I have indicated, we feel that there is a much simpler solution available here, which is to stick with the freedom of movement of people when it comes to European citizens. I spend a lot of my time speaking to citizens of other European countries who live in Scotland. They certainly share the view with many of their employers that the simplest solution available is the one we have, which is freedom of movement of people. I think we are getting to the point now where, after eight months of talking about this, these people in this situation deserve an answer. We have tried to put forward what we feel is the simplest answer. It is one we are more than willing to negotiate with the UK Government. Again, if the UK Government wants to come forward with alternative proposals, we will listen to what they are, but they are a great deal more complicated than what we have available to us just now.

Q232 **Naz Shah:** Do you think the approach they are considering, of a five-year visa, would be supported by the Scottish Government or not?

Dr Allan: I think it would be a great diminution, a great complication, of what we have now. I don't think it is something that you would find the Scottish Government would be enthusiastic about. I think we want to maintain freedom of movement of people.

Naz Shah: Thank you. Your opinion, Ms Steele?

Ruth Steele: I would say—and I think it reflects back on the last question as well—is that freedom of movement has worked for Scotland because it is not complex. The UK Government's immigration system is very complex, so what the Scottish Government is proposing is not to change freedom of movement as is. It is in fact moving away from freedom of movement in the rest of the UK, which threatens to make everything more complex for people who want to come here and work. A visa system—we would need to understand the parameters for that, and the rules around it, to understand the likely impact it would have on the number of people coming here.

Q233 **Naz Shah:** Say we get past that process and the UK does move to a system of quotas for migrant labour in key sectors of the economy, would you expect the quotas to take account of different needs in different parts of the UK, perhaps in the same way as the shortage occupation list does now for Scotland?

Dr Allan: As I have indicated, the needs of the Scottish economy are different. While there seems to be a willingness to talk about differentiation according to sectors of the economy, we feel it is only reasonable for us to raise the issue of differentiation and differentiated



solutions according to different places. There are other places in the UK, such as London, that have raised some of these questions as well. Again, putting aside the constitutional question, there are other examples—such as Canada and Australia—where in sub-state areas legislatures are able to exercise discretion over big areas of policy around immigration. In fact, in Scotland we used to have some discretion around post-study work visas. That is an area that is no longer open to us at the moment, but one that we will negotiate on. Certainly, yes, I think as well as talking about this debate about sectors, we have to come back to this question about the different needs that different parts of the UK have.

Q234 **Naz Shah:** Looking at area need would be very welcome then?

Dr Allan: Certainly, yes. We would like to see the UK Government start to talk about the distinctive needs that different parts of the UK have and allow, in our case, Scotland to start looking at what differentiated solutions around that would mean. Of course, that would mean giving the Scottish Parliament the legislative power to do some of that stuff, or at least to be willing to have conversations about the areas that we are talking about, such as in post-study work visas, which at the moment the UK Government doesn't seem to be terribly willing to talk about, despite the fact this was an area that the Smith Commission said would be looked at.

Q235 **Naz Shah:** In terms of areas, what sectors of the Scottish economy are most dependent on migrant labour?

Dr Allan: As you would expect, some of the areas of the economy that are very important to Scotland, such as tourism and hospitality, are very dependent on labour from the EU and beyond, but particularly from the EU. The agriculture sector—not just seasonally, but the agriculture sector in general—is very dependent on labour from other countries. We can point to those and many other sectors of the economy, but surprisingly also—it shouldn't be that surprising—some of the public sector. For instance, the care professions and the NHS also have sizeable numbers of people from other European countries working in them. We would have concerns as to how that would operate, particularly in many rural areas, if the people who are currently working there decided at any point they didn't want to stay here.

I come back to the point I was making about the conversations that I have with communities from other European nations resident in Scotland. We are being very careful not to talk up the idea that people will not be allowed to live here. We do want to believe that there is going to be an agreement on this, but the longer this goes on, the more uncomfortable life begins to be, if you are looking for mortgages, looking for jobs and so on. We want to avoid a situation where any of these sectors are adversely affected.

Q236 **Naz Shah:** One final question from myself. You talked about the agricultural area, and when we took evidence in Bedford, they were



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talking about much more seasonal workers coming in, particularly from around Bulgaria. What is it like in Scotland?

Dr Allan: I might bring my colleague in on that, but certainly it is the case that there are obviously certain times of the year when there is a peak in demand for work of that kind. Obvious examples are things like berry picking or harvest time and so forth, there are sectors of the agriculture economy that do depend in a more seasonal way. The picture that is emerging is that, in agriculture as a sector, we would find it quite difficult to operate in many parts of the country without people coming here from other countries.

Ruth Steele: Agriculture and seasonal migrants is an issue in Scotland. As the Minister says, there are seasonal flows there. It is also worth pointing out that there are five key industries that account for around 52% of all of Scotland's international exports. At the time of the census in 2011, 50,000 of the workforce who worked in those industries were migrants. That is 8% of the workforce, so beyond agriculture there is a real significance.

Q237 **Naz Shah:** Which five industries are they?

Ruth Steele: It is manufacture of food and drink, professional, scientific and technical activities, manufacture of chemicals and rubber, mining and quarrying, and wholesale and retail.

Q238 **Chair:** Is that higher than the hospitality and retail sector that Dr Allan was talking about earlier or is that about the same?

Ruth Steele: That is about the same—sorry, I would need to clarify that.

Q239 **Chair:** That is fine, if you could provide us with further written evidence just on clarifying sectors.

In terms of the sectors that you think have higher levels of recruitment from abroad, I am interested in why you think those sectors have become reliant on higher levels of recruitment from abroad.

Dr Allan: I suppose there are many answers to that. One of them would simply be the quality and the work ethic of many of the people who are coming to do these jobs. I think it is significant, related to that, the studies that have been done by the Scottish Government and others showing that people coming from European countries to work in Scotland are less likely to be claiming benefits than anyone else. There is a willingness to work; there is a work ethic. Employers are very happy with them. We have not found great evidence of an adverse effect, for instance, on wages. I think the primary reason is simply because they are a very willing and very active workforce.

Q240 **Chair:** You talked a few times in your evidence so far about there being differences between Scotland and other parts of the UK. We are taking evidence sector by sector anyway and we will obviously have evidence from social care later and we have had evidence from the agriculture



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sector. We will take evidence from other specific sectors from across the UK as part of this inquiry, but could you just say a bit more about what it is you think is specifically different about Scotland's needs in any of those sectors compared to the rest of the UK?

Dr Allan: If I can pick one example, I represent a very rural constituency I represent 13 islands off the west coast of Scotland. One of the things that is distinctive—I am here talking about rural Scotland—is the extent to which our population in many areas is fragile. The population of Scotland is projected in the next 20 years to go up by 7%. However, in my constituency it is projected to go down by 14%. There is a very large swathe of very, very rural Scotland where not only is there a demographic issue but there is an issue in finding a workforce in some sectors—some very key sectors, such as health and social care and so on.

One thing that I believe is distinctive about Scotland is the extent of our rurality and the extent of the problems in terms of skill shortages and shortage demographically of a workforce of a suitable age. In many parts of rural Scotland, the presence of young families from other countries has made a real difference to the viability of schools, the viability of public services. I think there is something that is worth looking into about the extent of extreme rurality in Scotland and what that means in this debate may be one example.

Q241 **Stuart C. McDonald:** Ms Steele, if I could follow up on a couple of points my colleague, Mr Jayawardena, raised earlier, I just want to assuage his concerns about free access and complexity, because I think the point you were making was pretty important. If I understand it, essentially what you are saying is that a lot of border control implemented by the UK Government does not happen at the border at all. It is afterwards. It is checks before employment and checks on access to services, for example.

Ruth Steele: Yes.

Q242 **Stuart C. McDonald:** I don't know if you are aware, but when she was giving evidence to this Committee, the Home Secretary essentially said that the Government would be doing everything that they could to avoid a situation where EU citizens would be required to use a visa to come to the United Kingdom in the event of Brexit. Essentially I suppose the question becomes: why would an EU national want to use Scotland as a back door if the front door is still wide open? You fly into London and you have your EU passport to access the United Kingdom and then you work legally that way.

Ruth Steele: I would agree. Assuming that what the Home Secretary has said reflects the direction of the UK Government in terms of their migration policy from the EU, people who are accessing the UK, whether it is the rest of the UK ports or ports in Scotland, should access the UK in exactly the same way.

Q243 **Stuart C. McDonald:** Indeed. In terms of complexity, comparing



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proposals for free movement for Scotland, I guess that would be infinitely less complex for Scottish businesses, Scottish employers and the Scottish public services than, for example, having to administer some sort of system of work visas or permits.

Ruth Steele: Yes. Part of the reason that we have been campaigning for the return of post-study work is the feedback we have had from small and medium-sized enterprises in Scotland, who say that they struggle to access skilled migrants due to the complexities of the UK's immigration system. They don't have large HR departments to manage what they need to do to satisfy Home Office regulations, so they use free movement and previously used the post-study work visa in order to be able to bring in talent from outside the UK. I would assume they would be reluctant then to move to a visa system for EU migrants.

Q244 **Stuart C. McDonald:** That brings me on to a broader question. Moving away from EU migration, I am going to ask you both about whether there are other policies that the Scottish Government would like to see changed in terms of migration from outside the EU. You have mentioned the post-study work visa. Could you say a little bit more about the work that the Scottish Government have done in that regard or if there are other policies that the Scottish Government would like to see changed?

Dr Allan: Yes. It is worth talking a bit about the post-study work visa, because it has worked. It has been successful. There is not much that produces universal consensus in Scotland on any subject, but I think this is just about as close as we have come to it. The demand that there is for the reintroduction of the post-study work visa extends across the whole of the university and college sector, across business, large and small, all the political parties represented in the Scotland Parliament, the Government. I have not really met people in any sector who think it would be a bad idea to reintroduce the post-study work visa.

The universities have been clamouring for this. It is something that was raised following the independence referendum in the Smith Commission. It is something that we were going to progress and see something happen on. Nothing has happened on it, but we will keep making the argument because we see an enormous cultural and economic benefit to Scotland from having highly able, highly-educated people coming, paying taxes, being educated and working in Scotland.

Q245 **Stuart C. McDonald:** Ms Steele, you mentioned complexity of access in some of the other Home Office visas when you were talking about the benefits of post-study work. Are you talking then in particular about tier 2?

Ruth Steele: Yes.

Q246 **Stuart C. McDonald:** You are saying that there are arguments that Scottish employers find that a difficult process to navigate?



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Ruth Steele: Yes. It is a point that has been raised in particular by a number of small and medium-sized enterprises in Scotland, who struggle to navigate the requirements put in place around tier 2. Also, the salary thresholds around tier 2 and a number of the immigration visa routes are said to be prohibitively high.

Q247 **Stuart C. McDonald:** In terms of salary thresholds?

Ruth Steele: The salary thresholds, yes.

Q248 **Stuart C. McDonald:** I also recall, Dr Allan, the White Paper that the Scottish Government produced for the 2014 referendum also suggested changes to spouse visa rules. Is that still the Scottish Government's position?

Dr Allan: Yes, we still do have concerns about the spouse visa rules. As an example, perhaps not directly from Scotland, but of somebody in recent days who found themselves in a centre in Scotland, Dungavel, Irene Clennell was removed from the UK at the weekend, despite having been married to a British man for 27 years and having British children. There are things that are worth considering again about the spouse rules, not least about some of the issues around the income of spouses, and the fact that couples' incomes are not being adequately considered as a whole sometimes, and people are being put in odd situations like this. I think it is an area that is worthy of discussion and an area that we have expressed some concerns about.

Q249 **Stuart C. McDonald:** You would be looking to push for change to those rules regardless of what happens to EU migration, though I guess that would become all the more essential if there was a sort of tightening of rules relating to EU migrants.

Dr Allan: Yes. I can see it being an issue that the Scottish Government raises, because a number of individual instances have given us cause for concern. It is something that I am sure we will raise again.

Q250 **Stuart C. McDonald:** Returning again to the issue of the net migration target, you touched on it briefly at the outset, but why is it you so strongly oppose the UK Government's net migration target?

Dr Allan: It simply doesn't work. Even if you start from a very different premise on this issue to the one that the Scottish Government has started from, I simply do not see how having a crude target works that then distorts all other areas of policy. For instance, we were talking a minute ago about the post-study work visa. I think that has been a casualty of having a very crude target that takes absolutely no account of the fact that you are dealing with a group of people who are of immense economic and cultural benefit to the country that they are coming to. It seems to me to be a very crude way of trying to measure the success of any immigration policy. Therefore, it is not a policy that we are adopting.

Q251 **Stuart C. McDonald:** Finally, Ms Steele, although the Scottish Government do not themselves have a migration target, as I understand



it, there is an overall population growth target, is that correct?

Ruth Steele: Yes. The population growth target is to match the growth of the EU. Sorry, let me just refer to my notes; I will be really quick. We are on track to meet it. The net migration target is to—

Stuart C. McDonald: It is not a migration target, as such. It is an overall population target.

Ruth Steele: Sorry, it is a population target. You are right, apologies. The population target is to meet the population growth of the—

Dr Allan: We are talking about the EU's population growth in comparable EU countries. As I have indicated, that is something that in recent years or decades Scotland has failed to do. I think we are looking at an 85% increase in our over-75s in the next 20 years. I concede that is not unique to Scotland but we are seeing a particularly sharp decline in people of working age. Certainly, trying to meet the population growth of our European competitors or partners is the way we would like to go.

Q252 **Chair:** Can I ask you briefly about refugees? We have separately been taking evidence around child refugees and the Dubs amendment and the changes to the fast-track Dublin system as well. Scotland has obviously been taking a certain number of refugees under both the Syrian vulnerable persons scheme and also the Dubs scheme. One of the Government's reasons that they have given for closing the Dubs scheme is that there is not sufficient local authority capacity to take more unaccompanied children. Can you tell us what your view is about the ability for local authorities in Scotland, for example, to take unaccompanied children?

Dr Allan: I am surprised at the UK Government's view on that with regard to local authorities because we have found in Scotland, for instance on the Syrian scheme, that we have 32 local authorities in Scotland and 29 of them have volunteered. They have not been strong-armed into this. They have volunteered to take people from Syria and we are very proud of that fact. Obviously we don't control the number of people who are coming into the UK under these schemes, but the First Minister in Scotland has made a great point of welcoming them and saying that we will take more if they come.

At the moment, with 10% or so of the UK's population, our local authorities are taking 27% of the people coming into the UK under the Syrian scheme and we are very proud to do so. There are other schemes around asylum seekers in other parts of the country, such as Glasgow, here as well. As a Government, we want to be helpful. We want to work with the UK authorities. We have indicated that we think there is more we can do. On Dubs, specifically, we find it very difficult to understand why we have moved away from a scheme that is designed to help probably the most vulnerable people in Europe just now.

Q253 **Chair:** Were you consulted on the number of unaccompanied child



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refugees that Scotland might be able to take?

Dr Allan: This is not a decision that we were consulted on, no. Nor, for instance, when it comes to much of the process for allocating local authorities for asylum seekers, is that something that we are consulted on. As I say, our local authorities and the Scotland Government are more than willing to do our bit in this.

Q254 **Chair:** Your expectation is that Scotland would be able to take more unaccompanied child refugees?

Dr Allan: Yes. I am sure there is a kind of moral consensus across lots of people in the UK about this that we have had a tradition for decades of taking in people, who are children in real distress. These are children in real distress. We have a moral duty to do something about that, and our local authorities and our Government in Scotland are willing to do their bit on that.

Q255 **Stuart C. McDonald:** To follow up on one related point, obviously there has been lots of local authority participation in terms of the vulnerable Syrian resettlement scheme. In contrast, as regards asylum seekers more generally, we are obviously in Glasgow today. Glasgow has a long and very strong track record in participating in what is now the Compass scheme, but what about the other 31 local authorities? Is there a particular reason, do you think, why other local authorities haven't been willing to get involved, and how do you see us being able to change that position?

Dr Allan: As I say, the Scottish Government aren't consulted on the process of how the system works with regard to local authorities being brought into a part of the asylum seekers programme. We are willing to be helpful in that, if we can. As I say, there is a willingness that is indicated in the Syrian scheme for refugees. To me, that indicates there is a willingness that is there. A lot of it I suppose comes down to where there are large-ish groups of people who are accessing similar services. A lot of it as well comes down to making sure that services are available in terms of English language provision, in terms of other services to ensure that people are integrated and feel valued and that they feel part of a community.

There has been a critical mass of this in Glasgow in recent years when it comes to asylum seekers, but as I say, if you look at the scheme for Syrian refugees, there exists a willingness among many, many of the local authorities to be helpful in this area.

Q256 **Stuart C. McDonald:** Why do you think there is a disparity in the numbers in terms of local authorities being willing to participate in the vulnerable person scheme, but more reluctance to take part in the general scheme for asylum seekers?

Dr Allan: I don't know if you are trying to draw me into saying that on the Syrian scheme the Scottish Government has had more direct



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involvement and they have responded better. I am not sure, but certainly we have had a direct involvement when it comes to the Syrian scheme and we have found it very easy to deal with local authorities on this. We have less involvement in terms of being consulted on the decisions that the UK Government take about how the asylum seeker scheme works.

Q257 Stuart C. McDonald: Ms Steele, any further thoughts on why there aren't other local authorities taking part in the asylum seekers' Compass housing scheme?

Ruth Steele: No, I have nothing to add.

Q258 Mr Jayawardena: Before I turn to a new area to look at, I wonder if I can pick up with you, Ms Steele, something that Ms Shah said in her questions on work visas. Ms Shah set out that work visas could be an alternative model going forward once the UK has left the European Union—five-year work visas I think is what she set out. I understand the Scottish Government's position is that they want freedom of movement. That is very clear—that has been made very clear today—but if the position of the UK Government is that a deal can be done on five-year work visas or some other work visa scheme or no deal, which would you prefer?

Dr Allan: You have tempted me into talking about the UK Government, I beg your pardon.

Ruth Steele: I am not sure that that would be a decision for me to take.

Q259 Mr Jayawardena: From the work you have done, though, on migration strategy, would that work better for you than no deal?

Ruth Steele: No deal as in no migration at all from the EU?

Mr Jayawardena: No preferential visa arrangements.

Ruth Steele: It is not an option that I would have considered. As you said, clearly freedom of movement is the Scottish Government's position on this. If it is a preferential visa for EU migrants, regardless of length, versus EU citizens being subject to the same complexities as third-country nationals, then I would assume that the position would be that that would be the preference.

Q260 Mr Jayawardena: Dr Allan, if I can turn to the new area that I want to look at, which is the SNP's ultimate objective—and I respect that that is a right in a democratic country—to make Scotland an independent country, if Scotland were to become independent and the remainder of the UK then restricted immigration from the EU, how would you envisage the border operating in that environment?

Dr Allan: You would acknowledge there are two or three hypothetical questions in there, which is quite legitimate for you to ask—I would be disappointed if you didn't. From our point of view, it would be about retaining the system that we had, retaining a place in the mainstream of



what is going on across Europe and, indeed, close at hand in Ireland. It would be about trying to make that work in a way that suited Scotland's needs. Obviously in doing that, in that situation that you have described, we would be in constant contact with our neighbours in the remainder of the UK to ensure that a system was there that did work.

I think there is a political willingness—perhaps more willingness than some sides let on in this discussion that we are having across these islands—to ensure that, whatever our destination is, we reach a system that works, that works practically and that works for both parties.

Q261 Mr Jayawardena: I wholly agree with that last sentiment. As you say, there are a number of hypotheticals in there, so if we can just unpick some of them. The first hypothetical is if Scotland were to become independent, so let us step back from that for a second. I wonder if we can consider the comments of the Chairman of the European Parliament's Committee on Foreign Affairs. I don't know if you heard this interview, but Elmar Brok told BBC Radio Scotland last month that, "We cannot have two agreements with the United Kingdom and with Scotland"—in the respect of Scotland still being part of the United Kingdom—"I don't think this is a cherry-picking thing, I am very sorry for Scotland because of that". Given comments like this, I put it to you that either it is a deal for the United Kingdom as a whole to agree, or your stated position as a party is to join the queue with all the rest of the other countries seeking membership of the European Union.

Dr Allan: There are two or three things in there. I will try to address them all. First, in terms of the comment about parallel negotiations between Scotland, Britain and Europe, with regard to what is presently on the table, which at present is not independence, we have said all along—and I have been quite careful to say this to Governments around Europe—that we are not in favour of trying to set up parallel negotiations. We are not trying to draw other European countries into an internal matter. What we have been seeking to do for some months is to ensure that the UK Government, in their dealings with the other 27 states, takes account of Scotland's position.

We believe our contribution to that debate is a constructive one and a practical one, but we are not trying to set up parallel negotiations with other European countries. Perhaps some of the comment in Europe is looking in on that question as to whether that is what happening. That is certainly not what is happening just now. As a Government, our visits to other European capitals have very much been about explaining Scotland's predicament rather than trying to pretend that we can negotiate. That is the first thing. In terms of—

Q262 Mr Jayawardena: If I can pick up on that particular point and then please continue. You do accept that here and now, in the current environment, the United Kingdom Government's position will be the position that does affect the whole of the United Kingdom?



Dr Allan: Yes. As I say, we are not trying to pretend that somehow or other we can negotiate with the EU 27 in this situation.

Mr Jayawardena: Yes. That is clear, thank you.

Dr Allan: Obviously, if we cannot get any kind of recognition for Scotland's needs—any kind of recognition of how Scotland has voted—then we do return to the question of independence but, for the moment, we understand that it is the UK who are the negotiating state in all of this.

Mr Jayawardena: Sorry, you were going to continue.

Dr Allan: That was what I was going to say.

Q263 **Mr Jayawardena:** Fine, perfect. We are all on the same page then. Taking that on a step further, clearly—as you said at the end of your first answer—we would want to make sure that the system works for the whole of these islands, whatever the constitutional arrangements might be. Do you also accept that the single market of the United Kingdom is more important than the single market of the European Union to the Scottish economy, which you did rightly talk about earlier as a major consideration for the Scottish Government?

Dr Allan: I am sure you won't be surprised to hear this from me, but we want to do business with both the EU and the UK.

Mr Jayawardena: But in numerical terms—

Dr Allan: We absolutely accept our biggest trading partner is the remainder of the UK. There is no dispute about that, but perhaps the difference between the position that the Scottish Government is putting forward and the position that the UK Government is putting forward in these discussions is that we do not wish to choose between those two options. We want to do business with both. We would reject the idea that somehow this is a choice between doing business with the EU 27 and doing business with the rest of the UK. We have been very careful all along to say, "How can we find a way to avoid that dilemma?" The proposals that we have seek to do so.

Q264 **Mr Jayawardena:** You also set out a moment ago that if the Scottish Government doesn't believe that Scotland's interests have been heeded, have been listened to, have been acted upon, then you may wish to return to considering independence. That is naturally something that I disagree with. I believe in us all being one country together and I think we are better together, but what would you say to the Spanish Prime Minister, who said that Scotland cannot negotiate its own deal for the EU and that they would block Scotland applying? We talk a lot about Article 50, on leaving the European Union. Of course, Article 49 allows every member state of the European Union to veto a new member.

Dr Allan: On the first point and the quote that you are referring to, as I say, we are not seeking to open up separate negotiations with the EU.



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Q265 **Mr Rail Jayawardena:** But you said that you would consider independence if a deal wasn't in Scotland's interests.

Dr Allan: We are talking about two different things here. I will try to deal with them both. The quote that you are referring to is talking about Scotland's current approach to the negotiations, which are not about independence. We have indicated that we—

Mr Jayawardena: Sorry, you misunderstand me. Sorry, Chair.

Chair: I think we need to bring it back to immigration, please; one final question.

Mr Jayawardena: It is going to come back there, but I need to clarify this point on this question, then I will ask my final question.

As you say, the quote I gave you earlier was about the current negotiations. This comment is from the Spanish Prime Minister, not the chairman of the committee.

Chair: I think we need to take it back to the immigration questions.

Q266 **Mr Jayawardena:** It is going to get there, I promise you, Chair. The Spanish Prime Minister, not the chairman of the committee in the European Parliament, said that Scotland couldn't negotiate its own deal for European Union membership. You said that if deals on things like immigration were not right for Scotland, you might consider triggering another independence referendum. On that basis, how could you?

Dr Allan: In terms of what might trigger an independence referendum, I think it is important to say in all this that the Scottish Government, the SNP went into the last elections to the Scottish Parliament with a very specific mention in its manifesto, making clear that, in the circumstances where Scotland was taken out of the European Union against its will, we reserve the right to come back to the question of independence in a referendum. At the moment, we are trying to find compromise.

Chair: You have made that point. Do you have a final question on immigration, because we need to move on to the next panel?

Q267 **Mr Jayawardena:** Absolutely. In terms of immigration, if that is the case and Scotland couldn't re-join the EU, having left the UK, then what would your immigration arrangements be? Because you would be outside of the UK area. You would be outside of the EU area. You would be totally isolated.

Dr Allan: Not only are there six hypothetical questions there, but there are at least four of them of which I reject the premise. Scotland is seeking to stay in the European family, not seeking to reapply to it.

Q268 **Chair:** Let me ask you a quick final question, because I want to move on to the next panel. Would you accept that there are big differences of view within cities and towns across Scotland on immigration? What do you think could be done to better build a consensus around immigration?



Dr Allan: I think differences do exist. This is true in all parts of the UK—that there exist differences in different communities—but I think one of the lessons that I would take out of the experience of the Brexit referendum and its aftermath, when talking about immigration and diversity and communities from other countries living here, is that politicians have to be careful what they say and that we have to be very careful in the use of language. If there is one thing more than anything else that we can do—all of us—to build a consensus about the value people from other countries bring who choose to make this their home, it is to be very, very careful in our use of language. I am sure I am not alone here in being disappointed at some of the language that was used in the course of the referendum campaign and I think, if there is one thing we can do to build consensus, it is to avoid that language in the future.

Chair: Thank you, Dr Allan and Ms Steele. Thank you very much for your evidence.

Examination of witnesses

Lorraine Cook and Dr Donald Macaskill.

Q269 **Chair:** Thank you very much. I welcome our second panel—this is our session on the impact of migration on the social care sector. Can I ask you first to introduce yourselves and then to tell us what your assessment is of the overall level of employment of those from outside the UK in the social care sector?

Lorraine Cook: Lorraine Cook from the Convention of Scottish Local Authorities. I sit within the migration, population and diversity team.

Dr Macaskill: Dr Donald Macaskill. I am the Chief Executive of Scottish Care. That is the national organisation that represents both the voluntary, for profit and not for profit social care providers in Scotland.

Lorraine Cook: In terms of your question about workforce in the care sector, we drew on the census data from National Records of Scotland. In terms of care workers and home carers, 91.6% are UK-born in the workforce, 3.2% EEA migrants and 5.2% non-EEA migrants, so a total of 8.4% of migrants in the workforce. We have broken it down into two, so it is care workers and home carers, but then senior care workers as well. In terms of senior care workers, it is 87.9% UK-born, 2.8% EEA migrants and 9.3% non-EEA migrants, so in total 12.1% of senior care workers are migrants.

Q270 **Chair:** Those figures are from 2011?

Lorraine Cook: Yes.



Q271 **Chair:** Any sense of how those will have changed, even if it is just a broad sense of how that has changed since then?

Dr Macaskill: Scottish Care has undertaken two pieces of research most recently. One was published in November, which specifically related to nursing and social care. Our members comprise 10% of all nurses employed in Scotland, which is just over 5,000. The data from that return suggests that the number of nurses who come from outwith Scotland is in the region of around about 12%. We are currently undertaking our workforce survey. There are real dangers in looking at a survey when it is only halfway through, but I did look at the data and they are suggesting that the total non-UK workforce in the care home sector is around about 12.8%, so that is an additionality to the figures from the census of 2011. That comprises 7.4% of staff explicitly from the EU.

What has perhaps surprised us to some extent is that there have been a sizeable number of individuals from the EU who are working in the care home and housing support sector. The figures for that sector total 9.2% who are non-UK, of which 8.2% are from the EU, outside the United Kingdom. That does significantly divert from the statistics that were appearing in the census of 2011. We represent 101,000 workers in Scotland in terms of our membership, so in any analysis, whether 12% of nurses or 8% of social care staff in a care home, that is a sizable population.

Q272 **Chair:** That suggests—and tell me if you think this is fair or unfair as an interpretation of those figures—first, that the dependence on overseas recruitment has increased since 2011, and that, secondly, there has been a shift within the figures over the last few years towards a higher proportion of EU citizens as opposed to non-EU citizens among those non-UK staff.

Dr Macaskill: I think it is a different answer for different sectors. In the care home sector, we have probably seen an increase in general recruitment in the United Kingdom and that has both encompassed non-EU, particularly for nursing staff. For the EU, it has been evidenced that there has been an increase in recruitment of EU residents in non-nursing roles. In terms of care home and housing support, where there is no nursing or very little nursing, the substantial increase has been from within Europe.

Lorraine Cook: In terms of social care with the points-based system, social care was in the shortage occupation list, but there have been increased barriers put in place. Social care has been taken out basically of the points-based system, so I suppose it is access to workforce and EU migration is the most accessible workforce.

Q273 **Chair:** To what extent is this recruitment directly from abroad and to what extent is it simply recruitment from growing numbers of EU citizens who are currently living here?



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Dr Macaskill: It is a bit of both. Substantially, it would be from abroad but it is undoubtedly the case that, if individuals come as the spouse of a partner who may have a job, and they set up their home and they make Scotland their home then social care provides a good opportunity for individuals with skills to gain access into the working environment. We are moving away from the presumption that social care is a low-skill sector. Anybody working in that sector would be able to quite strongly and robustly argue that their daily tasks involve them in considerably highly skilled and highly challenging environments. We have been able to benefit from that diversity of high-quality workforce from Europe and elsewhere in the United Kingdom.

Q274 **Chair:** Why do you think the social care sector has become more dependent on overseas recruitment than other sectors?

Dr Macaskill: I think the Committee has its intention to finish at 12.30, so I will keep this brief, but that is virtually an essay in its own right. One of the factors is that Scottish Care has campaigned for improvement in terms of the resource made available to social care, particularly the care home and care home sector. That resource has improved in the last period of time, with the payment of the Scottish living wage and the national living wage. In effect, that has only meant that we have raised what was and still is a much undervalued workforce, slightly higher in society's estimation and made it a slightly more attractive occupational set of rules.

It is still possible to get paid 50 pence more by going down the road and working with X retailer than it is to work a shift in a care home or work a shift in a care home organisation. Fundamentally, beneath all the issues to do with resource and economics, I think there is something to do with the willingness of individuals in the United Kingdom, wherever they are from, to be able to and be prepared to work in supporting some of the most vulnerable citizens in our society. It is hard work; it is emotionally draining; it is physically exhausting.

I heard the Minister talk about a work ethic. It is not that there is a work ethic missing from the Scottish population, but there may be a different attitude to the priority given to the care of others, particularly older individuals, in different cultural contexts, which I think at times in the United Kingdom if we have not already lost, then we are in danger of losing. To summarise, I think social care has an issue of resources. We are a ridiculously under-resourced sector, despite the fact that in Scotland, for instance, we employ roughly around about one in 13 of all Scots in employment. I do think there are more fundamental issues that go beyond mere party politics of asking whether or not, as a society, we sufficiently value the care and support of our older citizens, because the allocation of resources at one level doesn't suggest the answer is a positive one.

Q275 **Naz Shah:** Talking about uncertainty, is the current uncertainty over European nationals' right to remain in the UK having any effect on the



social care sector in terms of both recruitment and retention?

Lorraine Cook: In general, we have been trying to get a sense of what is happening on the ground in terms of EU nationals and that imposed uncertainty that they are living with. Our elected members are coming back and saying that there is. What they are hearing about people in different circumstances, so particularly hearing from people who have not been working, maybe have taken time out to look after their children and so on, and what are their settlement rights and how does that impact on them.

We have also been speaking to Glasgow University, who are carrying out a huge piece of work over five years called Social Support and Migration in Scotland. They have been working in different areas of local authorities—Aberdeen, Aberdeenshire, Angus, Edinburgh: areas with quite mixed economies, with different people there for different reasons, so it is very community-based research and they do have access to a lot of people and their views. Immediately after the referendum I think there was a great sense of unease, fear even. This is all anecdotal, but it appears that people have settled down and there is an element of, “We will wait and see. I have had my family here, surely not that this could happen. I would be entitled to stay here.”

It is very difficult to get a handle on what is happening on the ground—I don’t necessarily mean different sectors, but in universities there are a lot of EU nationals employed in research, in academia. From what I am hearing, there is a lot of people within maybe high-skilled jobs are putting in place or looking at their legal—

Chair: Their options.

Lorraine Cook: Yes, looking at obtaining their settlement to stay in the UK. Also—this is just sort of gathering from different avenues—Citizens Advice have seen a spike in people seeking advice on their options as well. But in terms of the social care—

Dr Macaskill: In terms of social care, as you would expect, the picture is complex because it is difficult to answer in the midst of such uncertainty. What we have seen—and we have asked our members and they have responded—is there is a very real human cost of this uncertainty. People are less likely to commit to long-term arrangements. I had an e-mail recently from somebody who said, “I work for a social care provider. I want to make Scotland my home, but I am not sure if I want to become pregnant because I don’t know what circumstances my child will be brought into.” That cuts through all the rhetoric and the hypotheticals to a very real human story. Those stories and those questions are being raised up and down Scotland, as they doubtless are elsewhere in the United Kingdom. At a human level, there has been created a great degree of distress.



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At a very practical level, I know that there are at least three of our members who are larger organisations, who have been involved in establishing recruitment centres in the European community in order to attract people to come to Scotland, to work in the social care sector at different levels. Of those three organisations, two of them have closed their European offices. I said, "But we have not made any decision yet," and not surprisingly their response was, "If you are a citizen in a European city and you read the headlines saying, 'Scotland is not welcoming you and is closed for business', you don't understand the complexities and the subtleties of clause 50 and the parliamentary processes of negotiation and debate, all you hear and all you see is that headline." If you are thinking about, as a nurse in Italy, coming to Scotland to work in a care home, then you will think not just twice but several times about whether that sacrifice is a risk worth taking. So at a very practical level, the decision of 23 June has had and is having profound negative impacts on the ability of providers to recruit. We have a 28% vacancy level in social care nursing in Scotland. That is over one in four nurses. That is critical.

Chair: That is nursing within social care?

Dr Macaskill: Nursing within social care. That is contained in the report. I am happy to make both that report and our most recent research available to the Committee on their request.

Q276 **Stuart C. McDonald:** Just to take you back, in some of the figures that you gave earlier, Ms Cook, you were talking about a fairly significant presence of non-EU migrants within the workforce. At the same time, you spoke about the complexity and challenges of being able to navigate the immigration system in order to recruit them. How has it got to this stage where there is such a substantial presence of non-EU migrants?

Lorraine Cook: It was National Records of Scotland pulled these figures and it was from SSSC, the Scottish Social Services Council. I think they were quite surprised and had that very question. This is just me guessing, but I wonder if it is because of the way the census is, so it is your place of birth. It could have been people that had been in the profession for a significant period of time, well before a points-based system was introduced and it was more sectoral visas, but it could also be dependents. As Donald was talking about, somebody has come through the immigration processing system, but they are coming through as a dependent and then getting work.

Q277 **Stuart C. McDonald:** Either they have been recruited under an earlier, more relaxed immigration system or they have come through a completely different process, such as a spouse or a UK citizen, for example, and been recruited. Mr Macaskill, any other thoughts on that?

Dr Macaskill: Yes, I think that is probably likely. The SSSC survey does ask that and we have not attempted to ascertain from people their route in, if they came from outwith the European community. It is also fair to



say that that does not surprise me. Culturally and historically, Scotland has had a long tradition of association, not least with parts of Africa and further afield. Therefore, it is not surprising that because of those cultural links—not least through the churches in Scotland—that there is likely to be a greater draw to non-EU organisations. For instance, the Church of Scotland, through CrossReach, is the fourth biggest provider of social care in terms of residential care in Scotland.

Q278 Stuart C. McDonald: Given the challenges of using tier 2 or any other part of the immigration system to recruit, do you make any attempts at direct recruitment from outside the EU or is it solely focused from within the EU?

Dr Macaskill: A good number of providers seek to use the current system. They find it despairing, challenging and difficult. They find the thresholds unrealistic for the reality of what it costs to live as an individual nurse, for instance, in rural Scotland. I feel that many of them have articulated that the amount of energy required to go through the process doesn't make it worthwhile, when so often we are seeking to recruit people who find the change, because of the amount of threshold value, really quite challenging. Our providers—and it is true whether they are for profit or voluntary or charitable—not only find the current system absolutely impossible to navigate, they are desperately concerned that any replacement of the current system will make the process even more challenging. Quite frankly, we cannot run our social care system in Scotland on UK nationals at the moment without non-UK residents. This is potentially a real crisis, which is not that far away.

Q279 Stuart C. McDonald: In terms of recruiting non-EU nationals, you have pointed then to financial thresholds being set too high, and also the complexity of the system. Would those concerns be addressed by going back to adding occupations to the shortage occupation list, for example?

Dr Macaskill: In its response to the Migration Advisory Council and the SOL listing, Scottish Care made that specific point. We also highlighted that it was important to recognise the distinctive nursing and social care needs of Scotland, because they are different. As the Minister said, they are particularly challenging in areas of extreme rurality. We depend considerably on EU nationals and non-EU employees to uphold very rural areas. Their loss or their inability to continue to recruit from those parts of the world presents real concerns. We are not talking hypothetical or theoretical concerns; we are talking about individuals who will, quite frankly, not be able to be supported to remain independent in their own home, or who will not be able to be supported in a care home in their own locality, because of the inability to recruit staff locally.

Q280 Stuart C. McDonald: Ms Cook, are there any other changes you would like to see to rules regarding migrants from non-EU countries in order to assist you in being able to recruit them?



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Lorraine Cook: In terms of the complexity of the points-based system, that is also reflected. We spoke to local authorities about teachers and teacher recruitment, and there are significantly more EU nationals that are employed as teachers in comparison to outwith the EEA. Because there are only particular subjects in the shortage occupation list, but also, going through the sponsorship avenue, there are significant barriers. Local authorities struggle. There is also a time limit, as in you have to start for the school start. So the length of time and the complexity that is involved in it, local authorities are not really accessing it, but are accessing EU nationals as well.

In terms of sectors and quotas, I go back to the question before: it is better than nothing. We would definitely say it is better than nothing, but we would want to look at it much wider than that. I don't think that is necessarily the answer in terms of Scotland and Scotland's local needs as well. Migration has been hugely important in terms of our population growth. We are 5.3%, the highest we have been, according to the census, but if you break that down into local authorities that is not the case. Going back to social care and the need for social care, we worked with National Records of Scotland regarding population projections: the increase/decrease of working-age population and the increase/decrease of the ageing population, so four tables; basically the worst-case scenario of an ageing population and a decreasing working-age population. We had five local authorities with significant population projections, so impacting on social care but the impact in general on that local community is huge. In terms of populations, if you take the example of Inverclyde and the case of the decrease in their population, it is projected at 19%, so we are facing significant demographic issues and migration is key to that. It cannot just be sectors and quotas on sectors, although that is part of it.

Stuart C. McDonald: It has to be much more subtle and complicated, essentially to take account of local need, unless of course you have free movement of people, which is a different matter; but thank you.

Dr Macaskill: Mr McDonald, if I can add something to what Lorraine has said there. That is that the social care sector in Scotland is shaped differently from elsewhere in the United Kingdom. About one third is large corporate organisations. About one third is what we would call SMEs, so medium-sized enterprises but, in terms of a care home, with no more than half a dozen care homes within that group. They tend to be Scottish in origin. Over one third is what we call singletons, so small, usually family-run businesses. It is the last two that find the current system virtually impossible to navigate. They don't have the scope, the size or the scale of the larger corporate bodies. They are faced with that double whammy of an ageing population and greater demand, and the average social care workforce in Scotland is much older than elsewhere in the United Kingdom.

Stuart C. McDonald: That is very helpful. Thank you.



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Q281 **Chair:** Can I clarify? You talked about a crisis coming in social care recruitment. Do you see that crisis as coming regardless of whether there are further restrictions on immigration? Or do you see that as coming just on the basis of the current situation?

Dr Macaskill: That is a huge question. All I can say is that, for a number of years, Scottish Care has been calling for an increased resourcing of social care within Scotland across a number of administrations, so this is not just the issue of one administration. We have argued that there has been insufficient analysis of the level of skill that is required to support individuals either to remain independently or within a care home.

We have produced a report recently called "Trees that Bend in the Wind", and it tells the story of the daily palliative care and end of life support that is given by about 60,000 care home staff, who are not trained, who are not skilled in the specific area. We still have this mental image of a social care staff worker as somebody who was a home help 15 or 20 years ago. These are individuals who are dealing daily with comorbidities, mental health, neurological challenges, palliative/end-of-life needs, who are dealing with behaviour that challenges, emotional and physical difficulties, and all for the living wage. We would argue that there has to be a fundamental questioning of the adequacy of resource being placed in care homes and in care in our communities.

That said, over and against that, the decision of 23 June, without appropriate safeguards to ensure that we continue to be able to recruit at the current rates and with even greater flexibility, adds weight to an already extremely challenging situation.

Q282 **Chair:** You also talked about the challenges in recruiting, particularly for more rural areas. Where you are recruiting for those areas at the moment, what are the retention levels like? If you are recruiting from abroad, do they come to those areas and then stay for a long time; or come to those areas and just stay for a couple of years and then move to Glasgow, Edinburgh or London? What is the level of churn within the workforce?

Dr Macaskill: There is a significant level of churn, but there is no distinction between the places of origin of those who come in to a particular community. What you do tend to have is that people who come into home care, care-at-home services, have a lower level of retention compared with those who would work in residential or nursing care. Those who come from out of Scotland into nursing and residential care would stay slightly less, but not significantly less, than those who were domiciled and born in the UK.

Q283 **Chair:** Is that churn higher in rural areas, those areas where it is harder to recruit?

Dr Macaskill: To some extent; it is a complicated picture. It is more difficult to recruit into rural areas, but there is evidence that it is easier to retain because, I suppose inevitably, people have made a life decision to



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go and live in, for instance, an island community, and that is not often taken very lightly because it may involve family and extended members of their family, so they are less likely to make the decision to leave those communities than perhaps individuals might within urban or metropolitan environments where there are alternatives and choices. It is more difficult to recruit but I think—and the Minister, given his constituency, would probably agree—that once people do go into rural Scotland, it is very difficult to not fall in love with it.

Q284 Chair: For those who are leaving, and if you have the higher levels of people leaving, do you have any evidence about whether they are predominantly leaving to return to the country that they have come from or whether they are leaving in order to join the labour market somewhere else, either in Scotland or in the United Kingdom?

Dr Macaskill: It would probably be the latter. The majority of people that leave social care employment in Scotland, certainly in the care home sector, go to work for the NHS or the local authority.

Q285 Chair: The recruitment that you are doing for those areas is directly from abroad. You have to actively go to other countries in order to recruit.

Dr Macaskill: The majority of providers will seek to recruit using multiple methods. They will not be dependent only on one source in order to fill the gaps. However, I think it is fair to say that every employer tries to recruit from multiple sources. Increasingly, it has become easier—until last year's decision—to recruit from mainland Europe, because Scotland has been presenting itself as a country that has been welcoming and hospitable to those who come and wish to work here. That has been to the benefit of the social care sector. That has been a long tradition in the Scottish context.

Q286 Mr Jayawardena: Before I turn to a different area of policy, may I just say I agree with you, Dr Macaskill, that there is a need to assess the value of care of the elderly in the United Kingdom as a whole, as well as here specifically in Scotland? Of course, allocation of resource is not necessarily just financial; it can also be human, and it comes down to a number of different policy decisions at every level of Government.

Turning to different levels of Government before I look at a different area of policy, you raise some intensely personal issues that some people are facing. Have you raised those issues with the Scottish Government, so that they can raise those particular issues with EU member states? As we heard earlier from the Minister, they have been going around the European Union explaining Scotland's position. Scotland's position, I am sure in this respect, is the same as the UK Government's position: we want to guarantee EU nationals' rights here as soon as possible, but it must be reciprocal to British nationals elsewhere.

Dr Macaskill: You will understand that we are a non-political organisation—



Mr Jayawardena: That is why I said the Scottish Government—

Dr Macaskill: I have given evidence along those lines to the Scottish Parliament's Economy Committee's investigation on Brexit and its implications and have tried to articulate that, for us, we are not dealing with the hypotheticals. We are dealing with the human cost of decisions outwith the control of workers and organisations. From that point of view, regardless of who listens, we will say we need to gain as much assurance as speedily as possible. Otherwise we risk a double whammy of finding it difficult to attract but also finding it increasingly challenging to hold on.

Q287 **Mr Jayawardena:** Specifically my question was: have you asked the Scottish Government? That is non-partisan. I am not drawing you into politics. The Scottish Government is a body. Have you asked the Scottish Government to do this and, if so, have they had any success in doing that?

Dr Macaskill: I have written to the appropriate Cabinet Secretaries to raise our concerns about the impact of the decisions and the uncertainty on the social care sector and have been assured—indeed there have been public statements by the Scottish Government, as far as they would term it possible to give the assurances that they are able to give—and I would be very surprised if our concerns are not part of the articulation in the negotiations being carried out between Edinburgh and Westminster.

Q288 **Mr Jayawardena:** That, in any case, is encouraging. If I can turn to Westminster and the UK as a whole, what changes do you think would be required if the social care sector had to rely on workers from the United Kingdom? Yes, you have said that clearly at the moment there are plenty of people from overseas who are filling roles in organisations that you represent across Scotland. However, while UK employment is at the highest since records began, there are still many people without a job.

Dr Macaskill: I might answer that question by saying that if I was able to offer a workforce the amount of return for their endeavour that I think it values, then that would make it much easier to recruit a diverse workforce from within the United Kingdom and not be dependent elsewhere, but we are not in that reality. That is why, I suppose, in an earlier answer, I was trying to say that fundamentally we need to look at why it is that people struggle with working within the social care environment. Undoubtedly, that is partly reflected by the priority that we give as a society to the care of older people. Spending £3.86 an hour on the care of a person in a nursing home, usually and typically in a palliative, end-of-life situation, spending that amount of money, which is less than a packet of 10 cigarettes, says to that individual who is receiving the care, but also the worker, "We as a society don't value the work that you do."

It is paradoxical, ironic, and shameful that we value economically those who work with things, such as money, compared to those who work with people at their greatest vulnerability. As a society, we have to ask



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ourselves: are we prepared, both economically and in terms of appropriate allocation of resource, to value those who care for people and, if we are, what are we going to do about it? Those who work and those who provide those services can only ask the questions. We are not politicians. It is up to you, ladies and gentlemen, and others, to provide the solutions to the dilemma.

Q289 Mr Jayawardena: Dare I say it, we are veering into a philosophical debate because one could also argue that it is not about money at all. It could be around values for families to take more responsibility for themselves. In that respect, it is not about money at all, and there are many communities of immigrants to this country who take a much more hands-on approach, not involving the state one bit.

Dr Macaskill: Absolutely.

Mr Jayawardena: Let's not get into that philosophical discussion.

Dr Macaskill: To come back on that issue, I am proud to say that, according to recent data, 92% of care and support in Scotland to an older person is being delivered by a family member. It is not an either/or. We are talking about an extent of care and support for people with great vulnerabilities requiring significant clinical skills, which families do not possess.

Q290 Mr Jayawardena: In many cases, it can be an either/or and families can take decisions for themselves, but you are right to highlight the, I think, £1 trillion-worth of unpaid work in this country, the United Kingdom as a whole. However, specifically, other than pay, which you have made your view very clear on, what other steps is the sector taking to attract more UK workers into social care?

Dr Macaskill: Both nationally and individually, in terms of employers and organisations, the sector is taking innumerable steps. We work very closely with the Scottish Social Services Council, which develops a whole range of learning resources, media resources, and campaigns, to raise the prominence of social care. My own organisation has worked with a BAFTA award-winning filmmaker who has produced some wonderful short clips to show the beauty of working within the social care sector. Social care providers access a whole range of other mechanisms in order to recruit individuals and, critically, to retain individuals.

Q291 Mr Jayawardena: If I can link UK workers to migrant labour for a moment, is there evidence that migrant labour is putting a downward pressure on wages, because it allows the current wage level to meet some of the demand that is there?

Dr Macaskill: There is no evidence of that. The downward pressure on terms and conditions in social care considerably pre-existed the increased use of migrant workers.

Q292 Mr Jayawardena: You are saying that if there were no migrant workers



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at all—I am not saying this is the real scenario, but I need to test this case—we would still be paying exactly the same amount of money and we would simply get on with it, whether or not we were filling those roles? Or do you think that supply and demand would then kick in and say, “There are many vacancies and we are going to have to pay more”?

Dr Macaskill: It is not the existence and presence of migrant workers in the social care system in Scotland that is preventing individuals from finding it a sector that is appealing.

Q293 **Mr Jayawardena:** With respect, you talked about retail—I think you said, “Retailer X can pay a couple of pence more and it will draw people to that organisation”. As you have said, pay is clearly having an impact and clearly supply and demand is operating. If you can pay a couple of pence more, 50 pence more, and someone will move jobs for that, then I would contend that if there was a shortage of workers, because in this alternate parallel universe there were no migrant workers at all, there would be upwards pressure on wages.

Dr Macaskill: The upwards pressure on wages, whether with a migrant workforce in place or with a non-migrant workforce, is not being prevented because of the existence of that migrant workforce. That is what I am trying to highlight to you. We could not operate the system as we currently have it without the presence of our migrant workforce for reasons other than pay, terms, and conditions.

Mr Jayawardena: I don’t think we are making progress, because clearly many of these jobs are being filled by migrant workers and therefore there isn’t that upward pressure, and you have bemoaned that lack of upward pressure in fixing the wages as they are.

Q294 **Chair:** Can I clarify? Dr Macaskill, are you saying that wages don’t rise because that would not have any impact on recruitment? Or are you saying that wages don’t rise because you are ultimately constrained by the budgets that you have, given how much is either publicly funded or the difficulties for people paying for social care?

Dr Macaskill: The vast majority of social care in Scotland is publicly funded. The reason that wages don’t rise is because there is insufficient funding in the system. That is not to do with the individual worker, regardless of where he or she may come from. It has to do with a lack of resource. As I have tried to articulate—and I think it is more than a philosophical point—that has to do with the relative priority of social care and, in particular, older people’s care and support.

Chair: Thank you.

Q295 **Mr Jayawardena:** Thank you, Chair. I am sure the Scottish Government is listening, because of course they now have more and more power to take decisions in Scotland as they see fit for the people of Scotland. Can I pick up on one final point? Is there any evidence—and I am very happy to have a yes/no answer on this—that migrants are being offered lower wages than UK workers can legally be paid?



Dr Macaskill: There is no evidence, and it is a requirement of any commissioned care and support in Scotland that an individual offering frontline care must be paid the Scottish living wage.

Q296 **Naz Shah:** Picking up on my colleague's earlier point that, while there is a philosophical argument, would you agree with me about the changing nature of families when we are talking about migrant communities? For example, in my own case, my grandparents came here, lots of people lived in the same house and we took care of our own families, but pressures and how we integrate affect people. Families now have to have two jobs, two people working, and we are then reliant upon the councils and local providers to provide that kind of care. Demographics are shifting and socially most families' structures are shifting, which impacts on social care.

Dr Macaskill: That is undoubtedly the case. My family comes from an island community where a generation ago care and support would have been delivered locally, within that community, because it was possible to gain an economic livelihood by living close to your home, close to family. Inevitably in Scotland—and this has already been referred to—we are locating our population in urbanised and metropolitan contexts. Therefore, that means that our older population is often more likely to be in the country and in rural parts of Scotland and, without that infrastructure of local family, it becomes really difficult.

Not quite daily but certainly frequently, I get very heartfelt letters from family members who, because they need to be where they are in order to work, in order to have their family and relationships, are unable to offer the care and support of mum or dad, who might be 200, 300 or 400 miles away, and, yes, that is a change in the way in which we structure our society. I don't see us going back to a much broader way of living, a much more rural way of living. We also I think have to be careful that we don't get too bucolic and romantic about what the past was like. Families really struggled to hold down jobs at the same time as caring for older family members, in particular.

Q297 **Naz Shah:** I asked the last panel the question about whether the Scottish Government would be amenable to some quota systems, and I put it to you: it has been suggested that the Government is looking at restricting EU employment to key sectors of the economy with quotas overseen by an independent body, such as the Migration Advisory Committee. Could you see such an approach working?

Lorraine Cook: We have asked for flexibility within the current immigration system but within whatever immigration system there is going to be in the future. Quota systems would have their place but we are looking at it in a more rounded way in terms of demographics but, also, in terms of it cannot just be focused on workforce and plugging skills gaps for a short period of time. We are looking at how we can attract and retain people, and bring their families here. It has to be a much more holistic immigration system to encourage people to come and



live with their family, and help counteract our demographic issues. If it is between a rock and a hard place, they would have their place, yes, and, for example, we have had rural local authorities talking about the impact on seasonal agricultural workers and the impact that would have on the local communities. In terms of that, going to a visa system there, yes, it would be welcomed. In terms of MAC, flexibility has to be remembered as well. It cannot just be, "Here's a sector for the UK". It has to have flexibility for Scotland but not just for Scotland but also for local areas within Scotland. We have had issues around the Scottish shortage occupation list, in terms of particular need in particular areas and there is not that wealth of evidence across Scotland, because it is not there, but it is needed in that particular area. So, yes, quota systems to an extent but it must be a much more holistic view as well. It cannot just be purely on workforce or purely on sectoral and UK levels. Even at a Scotland level, it has to reflect local need as well.

Q298 Naz Shah: How worrying is all this uncertainty to both of you as professionals in this industry? How worrying is it, not just on humanistic issues but economically? What do you think it will do?

Lorraine Cook: I think it is a huge concern. I was giving evidence at the Scottish Parliament with National Records of Scotland and they had pulled together some figures—it was very rough figures; they would say that themselves—about if there was no future EU migration and, in terms of the population, it is stark. Our population of children and working-age people would be significantly decreased and our pension-age population would stay the same, so there are huge concerns. Also there is the human aspect of it. There is a huge population of people within the UK with that imposed sense of uncertainty. What we are hearing from our elected members—you spoke about that earlier, about the very human face of it—is that families are coming to them with real concerns about what is going to happen to them, what is their future. In terms of population, our economy and the impact on the workforce, yes, there are huge concerns.

Dr Macaskill: I would completely echo everything that Lorraine has said. The social care providers, regardless of their own perspectives, are very concerned that this is yet another degree of uncertainty in a sector that is extremely fragile.

In response to your question about quotas, we do not have a view on the system that would best suit, post the 23 June decision. What we are concerned about is that very small enterprises, which really compose most social care in Scotland, are not going to have the scale and the ability to deal with a complex system. Even those that have been dealing with the existing tier 2 and SOL process are really struggling to see positive benefit. It is almost a plea. First, we need to sort this out as quickly as possible, but, secondly, we do need to be appreciative of all that Lorraine has said about the distinctive geographical and age profile of the social care workforce in Scotland. We have an increasingly older



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workforce; this work is emotionally draining and demanding physically, and while in other sectors it might be possible to work until you are 75, it is difficult—particularly when you end up, as many carers do, caring not just professionally but personally—to build an adequate, fit-for-purpose social care system based on an increasingly demanded workforce.

Q299 Stuart C. McDonald: To follow up on a couple of things, first, Dr Macaskill, you spoke earlier about the slightly different make-up of the sector in terms of large organisations, SMEs and individual units. Is there also a difference in Scotland in the amount of care that is publicly funded compared to private? How does that compare?

Dr Macaskill: Compared to the rest of the United Kingdom?

Stuart C. McDonald: The UK as a whole.

Dr Macaskill: I don't have the figures for England and Wales to hand but, anecdotally, my observation would be that the majority of care and support in Scotland is publicly funded and, even if you are a self-funder, a proportion of your care and support will be publicly funded because of the Scottish Government's and successive Scottish Governments' commitment to free personal care for the elderly.

Q300 Stuart C. McDonald: Thank you very much. Going on to a slightly different issue in terms of recruitment from Europe and implications of the vote last year, what effect might that have on standardisation of qualifications? Are there significant EU provisions in this area and how might that affect the ability to attract workers from the rest of the EU?

Dr Macaskill: There are two responses to that. With regard to nursing, for instance, there is a fairly standardised approach to qualifications, which makes it easier—but not without some challenge—to recruit from Europe. With regard to the social care workforce in general, from 1 October this year it will become a requirement over a three-year period for all care workers to be trained to the Scottish Vocational Qualification Level 2. That is partly an attempt to validate and confirm the skills necessary to engage in care. That whole system has equivalence elsewhere in the European community and transferability in and out would be easier.

Q301 Stuart C. McDonald: So just now, there is a mutual recognition of qualifications gained in other parts of the EU, and it would be important, I take it, for first steps to be taken to preserve that system.

Dr Macaskill: Absolutely.

Q302 Stuart C. McDonald: With regard to recruiting, you spoke about the difficulties in terms of the message that potential workers across Europe are getting when they read some of the newspapers and so on. I don't know how much you will be able to comment on this, but what do you envisage the effect of imposing some sort of visa requirement being on your ability to attract them? Can you see it as a stumbling block to



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recruitment, the fact that they might have to go through a visa process as well as a recruitment process?

Dr Macaskill: I would see the difference as being between a door that is open and welcoming, that you can walk through quite easily, and a door that requires a password and becomes a barrier.

Q303 **Stuart C. McDonald:** Finally, in terms of retention of workers and, indeed, I suppose, attracting new workers from Europe as well, would your preference be for a declaration right now—even if it had to be unilateral from the UK Government—that those here exercising their rights under European law to free movement are going to be able to stay indefinitely?

Dr Macaskill: It is way above my pay grade to enter into that realm. All I can say is that for all parties, whether European partners or indeed the UK Administration, the sooner we can give assurances to the women and men living in France who are UK nationals, and the women and men living in Scotland who come from Europe, the better.

Q304 **Stuart C. McDonald:** Ms Cook, do you have any thoughts? Are you able to clarify the amount of social care that is provided through public funding as opposed to private funding?

Lorraine Cook: I couldn't, but I could try to find out for you and take that back.

Q305 **Stuart C. McDonald:** That would be useful; thank you. Do you have further comments?

Lorraine Cook: There have been a lot of statements from councils highlighting the value that EU nationals have brought to their communities and the importance of that, though that is not the same as what you are talking about.

Stuart C. McDonald: That's helpful. Thank you

Dr Macaskill: I can give the answer to your question: 65% of individuals in Scotland are not paying for any part of their care, but of the remaining percentage, 90% are partially funded through the free personal care.

Q306 **Stuart C. McDonald:** You don't have a figure as to how that might compare to the UK overall?

Dr Macaskill: I don't know the relative figures for England, Wales and Northern Ireland, but given that there is no legislative guarantee of free personal care for the elderly, I can only surmise that it would be higher in Scotland.

Q307 **Chair:** Finally, following up on this recruitment/retention issue, if it were possible—a big question mark—to have a much less bureaucratic way of recruiting through either a tier 2 process or a visa or work permit process for the social care sector, given the points you were making earlier about retention challenges, would it increase retention if you were bringing



people in through sector-specific work permits, as opposed to through free movement, when of course people could then move on to any other job?

Dr Macaskill: Yes. What we have experienced in terms of recruitment into social care nursing is that, after a period of time—because terms and conditions in the NHS are better, roughly about £6,000; not in terms of the baseline figure but in terms of wider terms and conditions and entitlements—not surprisingly, those nurses move into the NHS and become a fundamental part of the whole system. So, from the social care providers' perspective, if we could, through some mechanism that was easy and accessible, enable a workforce to feed into the social care sector that would be beneficial.

Lorraine Cook: I suppose, just simply, if you are tied to a sponsor you cannot move on, so yes is the very simple answer to your question.

Q308 **Chair:** Your challenge is simply the recruitment in the first place, through that route, being more bureaucratic and more difficult?

Dr Macaskill: Yes.

Chair: Thank you very much. Your evidence has been extremely helpful. Like you, we have taken the view for some time that those EU citizens who live here already should have all of their rights respected, and we hope that that will happen as swiftly as is possible.

If you have any further figures or evidence about the level of ongoing recruitment that you need each year, as opposed to the existing workforce, that you were able to send us, that would be immensely helpful, as well.

Can I thank you both for giving evidence today? It was a very helpful and informative session.