

Science and Technology Committee

Oral evidence: [An immigration system that works for science and innovation](#), HC 1061

Tuesday, 19 June 2018

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Members present: Norman Lamb (Chair); Vicky Ford; Bill Grant; Darren Jones; Liz Kendall; Stephen Metcalfe; Carol Monaghan; Damien Moore.

Questions 1 – 60

Witnesses

I: Dr Sarah Main, Executive Director, Campaign for Science and Engineering (CaSE); Ian Robinson, Partner, Fragomen LLP; Vinous Ali, Head of Policy, techUK; Louise Wren, Policy Manager, Wellcome Trust; and Professor Richard Catlow FRS, Foreign Secretary, The Royal Society.

Written evidence from witnesses:

- [Campaign for Science and Engineering](#)
- [Fragomen LLP](#)
- [techUK](#)
- [Wellcome](#)
- [The Royal Society](#)



Examination of witnesses

Witnesses: Dr Sarah Main, Ian Robinson, Vinous Ali, Louise Wren and Professor Richard Catlow.

Q1 **Chair:** Welcome, all of you. Thank you very much indeed for coming to give evidence this morning.

The purpose of our inquiry is to develop concrete proposals for an immigration system that works for science and innovation. We want to get beyond general assertions—that immigration needs to make it possible to bring good people into this country—and get on to the specifics of what a system actually needs to provide so that there can be clear advice to Government about what they should be seeking to negotiate.

Later, we will take contributions from the public gallery, and I will explain more when we reach that stage. This is an innovation for a Select Committee. This is Parliament trying to get into the 21st century and, with a lot of hard work, it has achieved it, so that is great.

The first half will be a standard evidence session with questions from Committee members. Before I ask my questions, may we please do introductions? We have a panel of five. If you all answer every question at length, we will be here for hours and people will switch off the live stream, so please keep your answers succinct. If you do not feel you have anything to add to what others have said, do not feel obliged to answer again. May we start with you, Ian?

Ian Robinson: I am Ian Robinson, a partner with Fragomen, the global immigration law firm. Before joining Fragomen I was in charge of economic migration policy at the Home Office.

Dr Main: Good morning. My name is Sarah Main. I am the executive director of the Campaign for Science and Engineering.

Louise Wren: Good morning. I am Louise Wren, a policy manager at the Wellcome Trust.

Vinous Ali: Good morning. My name is Vinous Ali and I am head of policy at techUK.

Professor Catlow: I am Richard Catlow, foreign secretary of the Royal Society. I am also representing the four academies—the Royal Society, the British Academy, the Royal Academy of Engineering and the Academy of Medical Sciences.

Q2 **Chair:** Blimey—that's a heavy weight on your shoulders.

Is it better to set up special exemptions from broader immigration systems to suit science and innovation or to develop an entirely separate track for researchers and innovators as a defined group of people? Who wants to start by trying to answer that?



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Dr Main: I will start, if you like. This is quite a difficult question that a number of people in the science community have thought about. From my point of view, representing an organisation with science and engineering members, our mandate extends only to commenting on science and engineering. I do not want to overstretch the role I have in dictating what the wider immigration system should be.

Many organisations that we speak to refer to the cost and bureaucracy associated with migration activities. One of the things businesses say is that they want to work in a UK environment that is competitive and that if the process of “business as usual” becomes very much increased in cost, time or bureaucracy that would be problematic and would make the environment in the UK less competitive.

From that point of view, we would like a streamlined migration system that, as far as possible, retains the ease of movement of scientists and engineers of the EEA system and reduces barriers for the non-EEA system.

The question of how we get there is a tricky one, and I will not launch into it just now, but, as an opening remark, that is the perspective we receive.

Q3 **Chair:** Thank you. Richard, do you have a view on that specific question?

Professor Catlow: My view is that, yes, of course, we need to have a system that works for science engineers and innovators, but it should be part of a broader system that works for skilled people in general. What we are doing for scientists should be—

Q4 **Chair:** So, one immigration system that happens to be effective and helpful to facilitate the movement of people in science and innovation.

Professor Catlow: Yes. We want a system that does that, but I argue that it should be part of a broader system that facilitates the migration of skilled people in other areas as well.

Vinous Ali: From the tech sector’s perspective, previously if you were a data analyst you would predominantly work for a tech company, whereas now the Government’s ambition is to have the digitisation of the entire economy, so you will see tech workers, data analysts and software engineers—

Chair: Anywhere.

Vinous Ali: —in retail and manufacturing, and so on. A fragmentation via a sector-by-sector approach might not work and might become more complicated. It is about a system that works for everyone.

Louise Wren: I probably do not need to tell this Committee that collaboration and international partnership underpin great science. For us, as we leave a system of freedom of movement, it is really quite



important for research that mobility can continue across the region. To deliver that, Wellcome would like a reciprocal arrangement between the UK and the EU to support the science and innovation workforce, and we think that can best be delivered in the UK through a simple and swift system for EEA nationals. We do not think it can be delivered by an expansion of the current system because it is not especially quick or agile and it relies too heavily on salary and qualifications as a proxy for skill.

Ian Robinson: It becomes a question only if the system as a whole does not work, but it is still worth thinking about. For a system to work, employers need a degree of certainty, or at least predictability. Certainty and predictability flow from objective rules rather than subjective decision making, and that is brilliant and works very well for most people in the tech sector.

For science, we always find it slightly harder because it is hard to objectively define what makes a great scientist. You can go from PhDs, citations and so on, but it is not a perfect measure. What you would have is a system that works equally for everybody but some sort of carve-out for the science sector that makes it easier for the best people to come in.

We have that at the moment to an extent with tier 2 working reasonably well, apart from some flaws, and tier 1 being available for exceptionally talented migrants, but it needs to be broader and a little more flexible than it is at the moment.

Q5 **Chair:** Going through tier 2 still takes an awful lot longer and involves processes that free movement does not involve.

Ian Robinson: Yes. If you are going through a tier 2 and you are a licensed sponsor bringing in an existing employee from overseas, getting the documents together would take a week, the application would take a week and they would be here in a fortnight. That is really good and quicker than most countries.

If it is a new hire or if you are not already a sponsor, you are looking at between three and six months before the person can get here. That will need to change as it is too slow, and it will be far too slow after Brexit.

The other consideration is money. If you were bringing in a scientist or a tech person for five years and they had a partner and three children, it would cost £16,000 in Government fees, which will go up to £21,000 in September. It is really expensive—no other country even comes close to how expensive we are.

Q6 **Chair:** How do you respond to the point that Vinous makes: you have tech people in every sector of the economy and it is hard to carve out any particular sector—these people are working everywhere?

Ian Robinson: She is spot on. You would not necessarily carve out for the run-of-the-mill person who is very skilled and very valuable but quite



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common. You would carve out for the very best people and the people who do not otherwise quite fit, for whatever reason, in the system.

Q7 **Chair:** Thank you. The Wellcome Trust, which Louise is representing, proposes a dedicated science visa. How might that work in practice?

Louise Wren: I ought to say that it was just one idea and something we would be keen to discuss and debate today.

Q8 **Chair:** Are you distancing yourself from it?

Louise Wren: No. It requires input from the community, from experts and from this Committee, so we would be keen to have that discussion.

One idea was a science visa to support EEA nationals. It would be built around people, so you would almost define the science and innovation workforce in its broadest sense and then design something that could support mobility over the medium to long term, for example—everything from temporary trips to work with a collaborator or work in a research facility or longer-term migration for the duration of a grant or fellowship.

We suggested that you look at using an endorsing body—somebody who could help to administer and streamline the process. There is precedent for that. The tier 1 exceptional talent visa uses endorsing bodies, including the Royal Society. Just last week a new entrepreneur visa was announced that uses universities and approved businesses to endorse the visas.

Q9 **Stephen Metcalfe:** Are you suggesting that this science visa system is available only to EEA members, or are you saying that we should create a science visa available to all and that once you have a science visa you are able to collaborate, move around, come back and go away again, so that we are not creating a two-tier immigration system that tries to replicate what we have at the moment?

Louise Wren: It is a really important question. At the moment, we are going to be leaving a bloc that has had free movement for quite some time, so designing a system that maintains those relationships between the UK and the EU is critical. In the longer term, we would like to see improvements to the rest-of-world immigration system. One way to do that could be to bring it closer to the arrangements that we propose for EEA nationals.

Q10 **Chair:** Are there any other brief comments on the science visa concept?

Professor Catlow: It is an interesting suggestion, but I would prefer to see it as part of a broader arrangement for people with the skills that we need in the nation.

Q11 **Chair:** Are there any other good examples of countries developing a system that works well for science and innovation that we can learn from? Do they work on the basis of exemptions or special routes? Is there anything that we can look to in order to learn lessons as we try to



develop our position here?

Louise Wren: It may well be worth looking to France because I understand they have a tailor-made bespoke system for researchers.

Q12 **Chair:** This is for people coming from outside the EU.

Louise Wren: Absolutely. It is called the talent passport. It supports people who are moving to accredited universities or research establishments for four years but can be extended indefinitely, so it may be something to have a look at as part of this inquiry.

Professor Catlow: It may be worth looking at Singapore as well. They have recruited very talented scientists from around the world and they have a very rapid, streamlined system.

Q13 **Chair:** Ian, do you want to add anything?

Ian Robinson: Yes. Canada is worth taking a look at. Canada generally has a very business-friendly view of these things, but particularly for science—Melissa from our Canadian office is in the audience for the next session and she can talk about the Canadian visa—and, absolutely, France for their global talent visa but also for the Make Our Planet Great Again visa, which is for environmentalists—which is slightly cheeky.

Chair: It sounds rather Trumpian.

Ian Robinson: It does, doesn't it? I do not think that is a coincidence. Again, we have a colleague from the Paris office who will be in the audience for the second part of the session.

Vinous Ali: I was going to make Ian's point.

Dr Main: Another idea to look at would be one that is being developed by the EU itself. The EU established a directive in 2016—directive 801—that allows greater movement, or, as it were, ease of movement for researchers and a range of other types of professionals for research studies, training, voluntary service, people-exchange schemes and so on, from non-EEA countries. If researchers want to come into the EU, it allows them to move around and through the EU. That directive might—

Q14 **Chair:** That is during their period there.

Dr Main: Exactly. The UK decided not to opt in to that directive, but we might look to replicate the idea for other bilateral discussions or for trade agreements.

Q15 **Damien Moore:** CaSE has set out the types of people and movement that the immigration system needs to support if it is to work for science, technology and innovation. If you were designing a migration system, would you use types of people or types of movement as your starting point? Is one easier to define or regulate than the other?



Dr Main: That is an interesting question. First, taking a step back, the challenge that we are talking about here is distinguishing between what we do with the EEA nationals and those who are non-EEA. There is a lot to consider in the types of movement we have set out and the types of people. Ideally, we would like that all worked through and implemented as a whole. In a sense, I am not sure that I would say to you that it is easier or better to start with one or the other but just that we are trying to raise these characteristics of—

Chair: You have those issues.

Dr Main: Actually, I think it would work better for the sector if those were addressed and the new system implemented as a whole so that each of those facets works together.

Vinous Ali: To build on that point, if I may, a type of person might need different types of movement depending on where they are in their career or simply due to business needs. For example, a highly skilled migrant might need a short-term ability visa to attend a lecture, they might wish to go on secondment in another office in Europe or might want to go and work on a different project in another European office or in another European location. So it is about having both of those working in tandem.

Q16 **Damien Moore:** Is there sufficient time before the end of the Brexit transition period to design and implement a new system?

Dr Main: It seems unlikely that the Government might have the resource they need as well as the time to create a streamlined system that would cover all forms of migration, both for EEA and non-EEA. That is where the thinking that Louise has set out from Wellcome stemmed from—a sort of pragmatism about what can be achieved with the EEA system. I think we would agree with that.

A suggestion that we put forward that is slightly different from the research visa is looking at the light-touch registration that is being proposed for EEA nationals in the UK already and taking that as a starting point. Imagine the two ends of the spectrum: we have EEA free movement at the moment, and we are going to have light-touch registration for EEA nationals coming into the UK, and at the other end of the spectrum we have the non-EEA, fairly burdensome visa route.

Our suggestion might be that thinking could start at the light-touch registration end of the spectrum for the EEA system. If you build on that, you could create a visaless, frictionless system for EEA nationals following the transition and then build, as Louise was saying, on improvements to the non-EEA system in the longer term to create a streamlined whole.

The short answer to your question, I think, is that resources and time are quite stretched for whole-scale reform.

Q17 **Damien Moore:** So we are limited, certainly in the short to medium term, to modifying it rather than overhauling it.



Dr Main: I do not claim to be an expert in implementation, but that is the sense that I have from those we have talked to about what is practical and pragmatic.

Q18 **Damien Moore:** What implications do you think that will have in the short to medium term?

Dr Main: Businesses, universities and charities that we talk to—all sorts of research organisations, and I am sure other panellists would have something to say on this—look for confidence in the system, a system whereby the burden that is placed on them is proportionate to the activity that they want to support. That should be proportionate to short term and light touch as well as long term and permanent.

Whatever Government can do to include the sector in their thinking about how to implement change would be really welcome. On the whole, generally, we hear “change once and change well.”

Q19 **Stephen Metcalfe:** You said “change once, change well,” but, based on what I think I have heard so far, we would still end up with a two-tier system as opposed to one system that works for people wherever they come from. At the moment, we are excluding potential talent on the basis of trying to meet a target. What we actually want, do we not, is to be able to draw talent from wherever it may come? Should we not be designing that one system and then organising a transition towards it? That may mean that we have to be pragmatic, but at least we know where we are trying to reach.

Dr Main: Yes. “Change once, change well” may be to do with the Brexit transition process. It is a good idea to be clear and have a pathway towards where the Government want to reach. We would hope that that is a streamlined process.

Professor Catlow: I fully support what you suggested. We want to end up with a system that works for everyone, but we will have to accept that there needs to be a transition period.

Q20 **Vicky Ford:** Different people have different needs, and someone who is earlier in their career may want to come for a short period, be more mobile and go backwards and forwards, whereas somebody who is more established in their career may be thinking about a more permanent move, while admittedly still having mobility. I am wondering whether you could build on something like Erasmus and use that as a mobility tool up to post-docs—at the moment that can take you up to PhD level but not post-docs—and whether we can use some of those tools for mobility for younger researchers while also having the visa-type solution for more established researchers. What are your thoughts?

Louise Wren: I cannot comment specifically on that, certainly at the student end, but you are completely right that we have to have something that works for the range of mobility we see in our workforce. It is everything from short, medium, long term and back and forth, so it



absolutely needs to be flexible, dynamic and work for that range of mobility.

Returning to the earlier point on being open to talent from everywhere in the world, that is incredibly important because if you are not open to talent from everywhere you do not get the best ideas, perspectives and approaches. Wellcome is trying to come up with a practical suggestion that works for the EU as we leave the bloc and then perhaps in the longer term let us bring that rest-of-world system closer to those arrangements.

Professor Catlow: Briefly, it is really important—and it has already been said—to remember the need for mobility for short-term visits, which is sometimes forgotten. In science it is absolutely vital that people at all career stages—not just at the early career stage—can have short visits of a few days for conferences, research visits and exchanges. We must maintain a system that keeps that mobility.

Vinous Ali: To go back to the point about timescales, it is one thing for the Government to have their plan in place but you also need the time for businesses to prepare and adapt to whatever that new system looks like. For example, some of our members design HR immigration systems that they sell to other businesses.

If there is an entirely new architecture, they will need to update products. From the perspective of business, the quicker we have clarity on what a future system looks like, the quicker we will be able to prepare ourselves to meet that need and make sure we comply with it.

Ian Robinson: It is not just about getting your systems in place so that you can deploy people when they are needed; it is about how you sell your products, how you build your products, the extent to which they are built in India, say, or in the UK. It is incredibly complex and takes time.

Is there time? There is, but it depends on how they go about it. You need people, you need to train them and you need to prepare business. You need IT systems and you need to communicate positive messages out there. Maybe you could do it, but it would be very bumpy starting now. Officials need, as soon as possible, to be told that they have the go-ahead to start working on these policies and building the systems.

Q21 **Chair:** You would say there is a degree of urgency about this.

Ian Robinson: Yes. I am sure we all would.

Professor Catlow: Yes.

Louise Wren: From Wellcome's perspective, we have already started to see signs of a decline in the flow of talent from Europe to the UK. Our early career schemes were down about 14% in the last year for EU applicants, and our researchers tell us that they are having to repeat recruitment processes because they are really struggling to attract applicants from the EU.



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Q22 **Chair:** The system needs to work for universities and business in this country but also for people whom we are trying to attract here. It has to be attractive to them.

Professor Catlow: Yes.

Louise Wren: Absolutely.

Dr Main: I have a very quick example for your specific question. The question was put as an alternative between short term and visas for long term. I do not think we have to think always about visas for EEA nationals. If you think of the registration procedures in the USA, for example, the ESTA registration, there is a list of permitted activity associated with that. That could be a model worth thinking about for different purposes.

Chair: Ian appears to be nodding.

Ian Robinson: We have a similar list to the Americans, but the point is that you can spend two weeks getting a visa to work here for two days and you can spend three months getting a visa to work here for two days. If someone is coming in for a few weeks, let them in and do not have them apply for work permission because it is not worth it.

Vinous Ali: On your point, Chair, about attractiveness, for example, the EU Commission has said that across the EU bloc there are likely to be 700,000 vacancies in the tech sector by 2020, which is just around the corner now. If you think about making the UK attractive over our competitors to make sure that we remain at the cutting edge, these people are highly mobile and they are also in high demand, so it is not—

Q23 **Chair:** If it is complicated to come here, they will go elsewhere.

Vinous Ali: Yes, exactly.

Q24 **Bill Grant:** Specifically covering the movement of people to support the UK research community, which I am sure you agree is thriving at the moment, what scope or opportunity is there for a reciprocal agreement between the EU and the UK? Is there scope for that? Is it essential?

Ian Robinson: Yes. There will be. In general terms, in any free trade agreement you have provisions for intracompany transfers and visitors, as we discussed, and contractual service suppliers, but my colleague from Canada can talk to this in more detail.

I learned recently that in CETA and in NAFTA there are also arrangements for researchers. You could, within the free trade agreement, have carve-outs for the research community. They would need, though, to be strictly monitored and properly adhered to, because I can imagine some European states, to the letter, being very generous and other European states less so. We would need to make sure that someone kept an eye on that.



Louise Wren: It is not an easy solution. We would have to discuss and debate it quite carefully, but it is a really important avenue to explore. A reciprocal deal would work well because, obviously, we are not just concerned with bringing researchers into the UK; we need to make sure that they can move elsewhere, too—that we get that back and forth. Without the reciprocal deal, UK researchers may well be under the different systems that exist throughout member states, which vary, so it would be much better if we could get that reciprocal agreement.

Professor Catlow: I will comment very briefly. There will be a good chance, because there is a huge amount of good will to UK science in our European partners. I spend a lot of time talking to European academies and research institutes. They want the UK to stay part of European science because they see it as an asset for the whole of Europe. There is a great deal of support and good will.

Q25 **Chair:** Did you want to come in, Ian?

Ian Robinson: I wonder if I can pass these round: they are heat maps that we prepare for our clients that help them understand quickly where it is advisable to send work based on immigration. You can see that an awful lot of Europe is red on the heat map, which means not particularly helpful. This is for all sectors, as opposed specifically for science or tech, but it gives you some impression of the challenges that UK businesses will face when they are sending people into Europe after Brexit.

Dr Main: There is a point of clarity for me—I do not know whether it is clear already to Government or to the Committee—about whether reciprocal agreements could feasibly be negotiated with the EU centrally or negotiated bilaterally with all 27. I do not claim to know the answer, but I think that the answer impacts the likelihood and the type of different reciprocal arrangements that could be reached. At the least, I would encourage the Committee to try to find clarity on that point if that is possible.

Q26 **Bill Grant:** You mentioned the systems in France, Canada and Singapore, and the professor touched on the short term. What might a reciprocal agreement look like in practice, and what would be some of its key features? Would it be salary, time or family? What key elements would you like to see in any reciprocal agreement with the EU?

Ian Robinson: Family is important. I am pretty certain that most European countries allow family members to join a main applicant, but we would want that to be written in. There would need to be something in there about time—some commitment to issuing a visa in a couple of weeks rather than three or four months. You would also want to have something—and I do not know how you would write this, although I am sure we could work it out—around documentary and other requirements, because, certainly in civil law countries, the need for documents to be certified or for degrees to be nostrified takes an awful long time. Remove



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the practical barriers so that people can land quickly if they can prove that they are researchers.

Dr Main: I would suggest that, in terms of broad characteristics, it should be frictionless, ideally visa free and have options for visits, training, work and the variety of types of activity that we discussed earlier included in research endeavour.

Louise Wren: I would echo Ian's point about speed—perhaps some provisions that say these visas ought to be processed in three weeks, something about speed and speedy issue of visas.

Q27 **Bill Grant:** This is the time between launching an application and getting confirmation.

Louise Wren: Absolutely, yes.

Q28 **Bill Grant:** That has to be as short as possible.

Louise Wren: Nice and short, yes.

Ian Robinson: There are two parts of it: the part the Government do, but also the part that goes before where you have to get the documents together.

Another of the heat maps is on how quickly people who are work-ready can land. In the UK, in ICT, you are talking about a couple of weeks; in Spain that could be three or four months. It is about the Government processing time but also getting documents together.

Q29 **Darren Jones:** You were talking about the EEA countries presumably because that is a primary part of the question today. I think everybody agrees that we want to be part of Horizon Europe in the future, so that will probably continue to be a feature for us. When thinking about non-EEA countries, both in terms of science but also technology and the Government's view on wanting to strike free-trade agreements with other countries around the world, in which countries will we be specifically interested? Do you have any views on the top priorities for us to get visa systems and FTAs in place?

Vinous Ali: I would say that there are already existing markets where we recruit a lot of our talent. For example, in the IT sector India is a clear example, but the tech sector is incredibly fast moving, and that changes all the time. It is about creating a system where the UK is able to attract the best and the brightest regardless of where they are from or where they are studying, for example.

I would not want to be overly prescriptive about it, because it changes very quickly. If we want to remain at the very cutting edge, we need to be able to adapt quickly to those changes, so tying it simply to future free trade agreements might not be the best way to go.



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Professor Catlow: I agree fully with that. It would be rather dangerous being overprescriptive. We want to attract talent from all over the world, which is what we are doing at present. Our universities and research institutes are benefiting from scientists from all over the world. I understand why you raise the question, but we would need to be very careful.

Q30 **Darren Jones:** That was the answer I was hoping for, so thank you for answering the question.

Moving on to how we administer that, the national academies play a role in the exceptional talent visa applications. Can you, Professor Catlow, explain to the Committee what role they play?

Professor Catlow: We play the role of providing endorsements for stage one of the process. Applicants apply and then they indicate which of the academies they would like to consider their application. On the ones that come to the Royal Society, I think we have a good system: we review it; we usually consult a number of our fellows on whether the individual meets the criteria; and we then make a recommendation to the Home Office.

The great majority of those recommendations are accepted. It is a good system; it works well.

The big issue with tier 1 is that we need to get a higher proportion of uptake. With the other academies, we have been addressing the factors that led to a lower than desirable uptake for one scheme.

But I think it is a good scheme. It could be expanded, it has been expanded and can work well for providing a rapid visa route for highly talented people.

Q31 **Darren Jones:** If we were to scale up that scheme such that the academies took on more of a role, would that be welcomed or would there be concerns around the administrative burden?

Professor Catlow: We would have to look very carefully at the administrative burden. I can say both for the Royal Society and the other academies that we would very happy to discuss this further with the Home Office. We think it is a system that does work: it does have issues, but it is a system that works and is reasonably streamlined. Before the academies took on a greater role, we would need to think about that carefully and discuss it with the Home Office.

Q32 **Chair:** Is that raising awareness so that more people know about it or do you need to change the criteria to make it less restrictive?

Professor Catlow: I think it is both. There is an awareness issue. Universities have not been as aware as they should have been of the tier 1 route. We have been working, as have the other academies, to raise awareness.



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The second issue was in the original wording, which referred to world-class talent. This was interpreted as the absolute elite of the elite—the Nobel prize level—which was not in fact the original intention.

The wording has been modified. We have also introduced an accelerated route for people who have been given senior appointments in universities and a whole range of research fellows. We are getting there, but the two issues were the wording, which I think deterred people who were eligible from applying, and the familiarity. Both of those can be improved upon.

Q33 **Darren Jones:** This is clearly quite well established in the science community. From a technology perspective, do you think this would work for technology talent? If so, who would be best placed to try to administer that process?

Vinous Ali: There is already an endorsing body for those who want to come in via the tier 1 route. It works similarly, I believe, to the national academy system whereby they endorse an application and the application gets sent to the Home Office with the organisation's endorsement.

Again, there has been an issue with uptake. It is around exceptional talent. You are looking at the very pinnacle of the best of the best, so a lot of people still use the tier 2 route even if they are eligible for the tier 1 route. If you are going to scale up the system, I caution you to make sure that it targets the people we do want to attract and does not make it overly restrictive.

Q34 **Darren Jones:** It is Tech City UK, is it not, that do that?

Vinous Ali: It is Tech Nation.

Q35 **Darren Jones:** Tech Nation, I am sorry. That is about 200, I think, of the 2,000 cap on tier 1.

Vinous Ali: At the end of last year, I believe, it was doubled from 1,000 to 2,000 visas available, but the uptake has not reached that upper limit. During the recent London Tech Week, the Government announced the new start-up visa to draw founders to the UK to make sure that the UK is the best place to start a business, but we need also to make sure that the UK remains the best place to grow a business, and that will not rely on the tier 1 route that is currently available.

Q36 **Darren Jones:** Do you know where there are particular challenges on the uptake for the tech visas? I understand the world-class ranking issue on the science side. Was it wording restrictions particularly on the tech side?

Vinous Ali: I am not 100% sure. Tech Nation might be able to indicate why they felt the uptake has not been as it could be. I think it is the idea around exceptional talent rather than those who might want to come in and contribute to the economy, rather than set up their own business, via an already-established business here in the UK.



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Ian Robinson: We have a reasonable number of people who contact us every week or every month to help with a visa. We get a reasonable number of them through. It was my policy; I came up with it when I was in the Home Office as a way of adding subjectivity to a necessarily objective system.

What we got wrong was setting it as exceptional talent rather than very, very good talent or something—without being sarcastic, just something that little bit lower. You have very good people who one day could be brilliant but in any event would add an awful lot to the economy, but they do not quite qualify because they are not in that world-leading—

Q37 **Chair:** So just broaden the criteria a bit.

Professor Catlow: The wording is crucial.

Ian Robinson: Yes. Broaden the criteria and lower the bar.

This is already important, but it is going to be a lot more important after Brexit if we maintain the current system. Tier 2 works relatively well for tech, especially where you are bringing in existing employees. It does not work if you do not have an employment relationship in the UK—if you are a freelancer or self-employed or if you are coming over here as an entrepreneur or as a founder. Maybe you have £200,000 for an entrepreneur visa, maybe you have a university who will sponsor you under the route or maybe you are brilliant and can get Tech Nation, but there are lots of people who fall outside of that who just need to come over and spend three weeks or a few months working on a project. That will be really difficult to do under tier 2 after Brexit. We manage with free movement. It will not work when free movement ends.

Q38 **Vicky Ford:** With the British Heart Foundation over the river, at the hospital often you would get a leading scientist bringing some of their team members with them. Presumably that tier 1 visa might cover the leading scientist but not the more junior researchers in the team. Is there also an issue of whether it covers the scientist and the scientist's spouse, family or partner?

Ian Robinson: Yes. Families and partners are fine. Teams sometimes can qualify but not very often. Once the team is over here, you would be looking to sponsor them, which would generally mean advertising the role, making sure that there are no suitable Brits available, or at least that they have a chance to apply for it, and waiting until they can get here.

Q39 **Vicky Ford:** Presumably that takes quite a long time.

Ian Robinson: Yes.

Q40 **Darren Jones:** My last question is more on the industrial side. We had some evidence—I think it was from Rolls-Royce—about sector players in the endorsement of visa applications. In my constituency of Bristol North



West we have a very significant aerospace industry where talented people have to move in and out of the country quite frequently, including goods and people. Do you think the highly trusted category for a sectoral visa sponsor, whether it is aerospace or another sector, would work? If we were to propose that, would anybody have any concerns about how it might pan out?

Ian Robinson: The exceptional talent visa—and I know aerospace is only one example—already applies to engineers. If you are an incredibly talented engineer, you can qualify, so aerospace would be covered. Ultimately, though, for the best people, yes, have something special to get special people in, but for everyone else you need a system that is quick, provides certainty and is affordable, which the current system meets to a point but is very expensive, as I said, and can be very slow. The system as a whole needs to be that much more affordable and quicker.

Q41 **Darren Jones:** That is non-EEA. To go to your Brexit point just now, if there is not a special arrangement for the movement of EEA nationals, that burdensome administration would, but for reform, affect our EEA migrants, which for EU-dominated companies would be a particular problem.

Ian Robinson: That is right. Honestly, I am certain—I know—that the Home Office recognise this and, as I said, the sooner that they can push the button and start to put out policy proposals that can be tested with business, the better.

Dr Main: Briefly, I want to add some specific ideas, as that is what the Committee suggested you wanted to hear.

Although you are focusing a little on tier 1, we are broadly talking about the non-EEA system in general. You began by asking whether we should be identifying particular countries. Another way to look at it is: what can the UK do to make the non-EEA system as flexible and as pragmatic and work as well as it possibly can? I think there are some specific changes we could make to the non-EEA system that would help us go in that direction.

The Chair can say if you want to delve into these in more detail, but there are some pragmatic changes that can be made around indefinite leave to remain rules, around the tier 2 cap and around the immigration skills charge. The recent changes to tier 5 are really welcome. But there is a whole package of things that could be done on the non-EEA system that are not dependent on the Brexit transition and that might help us to send a positive message outwards in attracting talent here.

Darren Jones: I do not think we have the time to go into the detail, but I would be keen to read it. If you were able to submit it to us, that would be helpful.

Chair: I want to open it up at about half-past to everyone else, so will



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you make sure that you keep your answers succinct? Vinous, we can have a quick comment from you.

Vinous Ali: Yes, it is just to build on Ian's point about who will be able to access this talent. The big players such as Rolls-Royce will probably be able to navigate any new system that comes before them. We want to make that as easy as possible because they will need to attract the talent, but we are really worried about making sure that small and medium-sized British companies can continue to grow and bring the talent they need to become the future big players in the system. It is about making sure that the system, to go back to Professor Catlow's point, works for everyone and not just concentrating it into one.

Q42 **Chair:** Richard, some of the Royal Society's recommendations or endorsements on tier 1 get rejected by the Home Office. How frequent is that, and on what basis? Is it a problem or are they, on the whole, rational reasons for rejection?

Professor Catlow: Their reasons are usually completely different from the scientific qualifications of the individual. We can provide more information, but it is pretty rare. The great majority of our recommendations are accepted by the Home Office.

Q43 **Stephen Metcalfe:** I will try to keep my questions brief and around creating a new system that works for all and is fair and equitable.

At the moment tier 2 visas tend to be allocated on the basis of salary over a certain amount, and that amount is rising to try to keep to a cap. I think at the moment it is an average of £55,000, or something like that, and rising. Do you think that is the right criteria by which to judge researchers, scientists and so on, and, if you do not, what would be a better way of evaluating who should have a visa and who should not if you have a limited number?

Ian Robinson: I will make one point of clarification and then pass it on for ideas. You are right that people prioritise a person's salary because that is an indication of their value to the labour market. Scientists, unfortunately, are not paid what they are worth, so when we developed this policy in the Home Office, largely thanks to CaSE, who lobbied better than anyone I have ever seen—

Stephen Metcalfe: That does not surprise me.

Ian Robinson: They were superb. We gave a premium to scientists. They were awarded extra points, meaning that they are treated as being paid substantially higher than people from most other sectors.

Q44 **Stephen Metcalfe:** So that I understand, the amount of salary that anyone is paid in tier 2 is given a points weighting.

Ian Robinson: Yes, that is right.

Q45 **Stephen Metcalfe:** Scientists who perhaps are paid half of that get an



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additional points weighting that might bring them up to that equivalent level.

Ian Robinson: Yes.

- Q46 **Stephen Metcalfe:** Does that system work as it is at the moment or could we make tweaks that would encourage researchers, who are paid at the lower levels and who might benefit from that?

Ian Robinson: It has not been working. Depending on how you look at it, it has been working really well, because it has been limiting the number of people who can come in, which was our intention, but has not been working for most sectors—engineering is an example—because they have not been able to get the people that they need, having proven that there are no Brits or Europeans available to take the job.

For scientists, the minimum salary has been £50,000-£55,000, when, most months, it has probably been £30,000-£35,000. It is still a little bit higher, but better in comparison.

Ultimately, for business, we would want to remove the cap altogether. We question why you need to cap the number of talented people who are coming in to fill jobs—not just any old job, but at degree level and above—where no suitable residents are available. But that is a political decision, and as long as there is a focus on reducing net migration there will be a bunch of Home Office policies to help to achieve that.

- Q47 **Stephen Metcalfe:** If you removed the cap, you would need a new set of criteria on which to judge talent.

Ian Robinson: You already have that. The criteria is that you must be paid at least £30,000 normally—a little bit lower if you are a new graduate—just to get into the mix for the cap; you must be in a degree-level job; you must be sponsored by a trusted employer; and the employer must be content that there are no suitable residents available. If you are coming over as an existing company employee, you also must be sponsored, but the salary is £41,500.

- Q48 **Stephen Metcalfe:** Are these levels too high if you are trying to attract early career research scientists?

Ian Robinson: I would say so, but we have—

- Q49 **Stephen Metcalfe:** Yes, I am sorry. Can we have comments from the others around that?

Chair: Very quickly, I am conscious again that we are running out of time, so keep your answers succinct because I want to give opportunities to others. You will still be able, as a panel, to provide answers in the second session and I need to bring Carol in, so can we have a quick answer to Stephen's point?

Dr Main: I really endorse what was just said—that you do not need a cap for the reasons just stated. The qualifications are used already: PhD level



is used already. The salary issue is largely a problem in academia, not necessarily so much in other business—R&D sectors. There is evidence that the MAC has already looked at issues to do with technicians and founders, and I would suggest looking at the outputs of their work.

The purpose of the criteria, where we are using salary or whatever it is, is to give confidence to the UK public that the person has a value to society, that they will not be an unreasonable burden on the state and that they will not undercut the local workforce. There could be ways of addressing that issue of confidence that is separate from the migration system, although there have been some innovations there.

A final point is that whatever criteria are used should work for both traditional employment, where you have an employer who can be trusted and provide sponsorship, and those situations where there is not a traditional employer, such as founders. The shortage occupation list already exists, and that is another tool that could be used, particularly if it is used in a slightly more responsive way.

Louise Wren: It is a really important question and I would welcome a conversation on how we better assess skill beyond salary and qualification. To give you an example from the Wellcome Sanger Institute, two thirds of their workforce are technical staff. They come into science through many routes—apprenticeship, technical diploma and degree—and many do not have a PhD, but often they will be leading experiments and programmes and developing cutting-edge techniques that move the science forward. It is critically important that we assess skill in its very broadest sense.

Q50 **Carol Monaghan:** There is a vast disparity in wages across the UK. Wages in Scotland are significantly lower than they are in the south-east; in fact, they are in many areas. When we are using such a crude instrument as salary level, how do we make sure that we protect the ability of academia and business in Scotland to attract the very best?

Dr Main: You use other tools, such as the shortage occupation list, that respond to the research priorities and skills needs of the UK. There is data on roles that were prevented from coming here due to the exceeding of the cap in recent months. The data has not been provided broken down by geographic region, and that may speak to your point. The data is currently not available, but it may add weight to the point you are making.

Q51 **Chair:** Do you want to add anything, Ian?

Ian Robinson: I was just going to say that it is easy: you lower salary requirements in Scotland and elsewhere where salary is lower than London and you enforce that through the sponsorship system. If it turns out that companies are saying that they are bringing Sarah in to work in Aberdeen on £4,000 under and then she goes to London, you take their



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sponsor licence away from them. The controls are already there for non-compliance.

Q52 **Vicky Ford:** On short-term visits and exchanges, what is the best way to facilitate that short-term movement? Should we have a similar system to the Canadian and American system where you can come in for six months? Are there other models that we should be looking at?

Louise Wren: I can answer that very briefly: Wellcome entirely supports visa-free travel after Brexit and both those systems have a good model that we could draw from.

Q53 **Vicky Ford:** Is that for just EEA nationals or for all nationals?

Louise Wren: Referring to my previous answer, I would want to see something for EEA nationals first and foremost to address these issues as we leave freedom of movement, but let us consider what else we could do in the longer term.

Professor Catlow: We have accepted that for EEA nationals there is going to be a transition period, but let us make it for all nationals. We do want to interact with talent from all over the world.

Vinous Ali: For EEA nationals there is the legacy issue. For example, a lot of companies choose to have their European base in the UK because there is free mobility, so we would want to see that frictionless mobility retained.

To give an example, one of our members recently had a data centre go down in Nice and it was about getting their senior engineer in the UK out to Nice as quick as a plane could take them. Even an ESTA system, whereby you would have to apply 72 hours beforehand, would be too slow to meet that need. That is partly because businesses have chosen to base themselves here in the UK because there is that ability to move people quickly and in a frictionless manner.

Ian Robinson: Really importantly, to either disagree or clarify, you would not have visa-free travel for every nation because when a person arrived at Heathrow how would you distinguish between the renowned scientist from—I do not know—an African state or a higher-risk migration country and someone from an impoverished village, a farmer, let us say? You would have visa controls for higher-risk countries but you would make it easier for them to come in and work quickly. Do not have visas for Europeans for visits, as we do not for Americans, Australians and so on; keep them for other parts of the world. But if you want to come in and work for a couple of weeks, do it as a visitor with a visit visa, an application form that takes half an hour to prepare. A decision is taken in three or four days and they can come straight in rather than need sponsorship, which takes weeks to arrange. Keep the controls, but make it easier to work if it is only for weeks.

Q54 **Vicky Ford:** Use the short-term visa more so that you can work during



that short-term period.

Ian Robinson: Yes. We did some work with Ireland on this, and they now have an atypical worker visa that allows you to work for 60 days, with limited permissions needed. I am sure we could provide evidence of how that works.

Q55 **Vicky Ford:** When you have your indefinite leave to remain, researchers cannot currently spend more than 180 days outside the UK in any 12 months. I could see that would be a real issue if you were working on projects where you may need to do lot of work in different countries. Is the 180 days too tight? What should it be? What are your suggestions?

Louise Wren: It can be a problem in our sector, but I understand that there are exemptions for people working on economic or humanitarian crises such as the Ebola outbreak. Perhaps that deserves—

Q56 **Chair:** It could just be that you are doing a service that involves you being in another country.

Louise Wren: Absolutely, but I wonder if we could take a look at the exemptions that exist already and see if we might look to expand that.

Vicky Ford: Okay. That is interesting.

Professor Catlow: I think we should expand it because there is an increasing need for scientists of all kinds, particularly physical scientists, to spend long periods working abroad using major international facilities. That is an important point.

Dr Main: We would like to see research activity permitted in the indefinite leave to remain rules and they could be certified or endorsed by the employer as, on the whole, researchers are doing research abroad on behalf of their employer or funder.

We do welcome the fact that the recent rule changes have said that the 12-month rolling criteria will not be implemented retrospectively. That is really helpful because it had been a concern for people.

Q57 **Vicky Ford:** If you wanted to have the research activity overseas—I use the example of the British Antarctic survey, where presumably you need to go to the Antarctic for the entire summer—how would you verify that the activity is legitimate, especially if you were working for a smaller organisation and you were not Rolls-Royce?

Dr Main: For a researcher for the British Antarctic Survey, presumably the British Antarctic Survey could provide that verification. If the point about being a smaller employer is one that the Government for some reason do not have the same relationship of trust with, then perhaps there could be a system of trusted sponsors or trusted employers that does not necessarily need to have the same level of burden as does the current tier 2 designation.



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Ian Robinson: Home Office officials are pretty good on this most of the time. If we were to write in with an application and say, "By the way, Sarah has been in the Antarctic for this reason and has gone over 180 days," I would be reasonably confident, not certain—no promises—that they would be pragmatic. In a way, it is writing the discretion into the rules, but what happens then is it becomes 270 days and we sit here asking for 330 days. It is difficult for policy makers.

Chair: Vicky, have you finished?

Vicky Ford: I have finished. "Writing the discretion into the rules" were the key words that you used.

Q58 **Liz Kendall:** You have already answered the question I was going to ask about the Government having said they are going to exclude doctors and nurses from the tier 2 cap. Do you think STEM researchers and professionals should be excluded, too? You seem to be saying focus on—

Professor Catlow: Yes.

Q59 **Liz Kendall:** Yes, but just get rid of the cap and focus on the criteria and what the country needs.

Professor Catlow: Absolutely.

Q60 **Liz Kendall:** My question then comes to the shortage occupations list. It is a very fast-moving area. Does that really work? Is it a bit slow to put occupations on there? How do we keep ahead of the curve, because this is changing so quickly? How do we make sure we are identifying shortages and the kind of people we need?

Vinous Ali: One problem you have identified is that it is just not dynamic enough. Data is looked at retrospectively and applied once a review is undertaken, so there is a huge lag. For something like the tech sector, it needs to be far quicker.

The other thing, again going back to a point I made earlier, is that sometimes the shortage occupations list identifies a job role but then says "a job role within this sector." For the tech sector, it needs to be much more fluid in order for that to work, but again this kind of fits in with the wider argument that the shortage occupations list would need to be less relied on if there was no arbitrary cap. If there was no arbitrary cap that limited the skills that can be brought in, then we would not need to use the shortage occupations list as much.

Dr Main: The exemption of doctors and nurses from the cap has provided relief to the immediate problem, which was the high demand on the cap. That is welcome, but, in a sense, it is not a logical follow-through of how the system works. The logical approach is to use the shortage occupations list for priority.

Absolutely, I would start with the fact that we do not think, as has been said, that there should be a cap on skilled workers in a future migration



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system. I think you are right that it is worth reviewing the shortage occupations list and its functions, because it was originally set up to look at domestic skills as well as migration policy. The idea was that where there were shortages they would be addressed domestically in time. If it is to be part of a future migration system, it should be a tool that provides a measure of the needs of employers and needs according to national priorities, which would require it to be responsive.

It is worth going back to its original purpose of looking at the fact that there are shortages in those occupations and seeing how they could be addressed domestically in the longer term.

Louise Wren: I have a final point on the shortage occupations list. I completely agree that it has to be dynamic, but I also think that it cannot just be based on volume, because often in science there will be a handful of specialists working in a certain area whom we will need desperately, or it might be a niche area. So it is just being pragmatic about how many people we are talking about.

Ian Robinson: The thing to understand about the shortages list, basically, is that there is an awful lot to it, but it saves you four weeks. If you are on the shortages list, you do not need to advertise in Jobcentre Plus; people can come in four weeks quicker. If it can be more responsive and better fit the needs of industry, then brilliant, but it is only one part of it.

Everyone is concerned about the tier 2 cap because it makes it harder for people to come in, and some people cannot come in, but even beyond that you have to wait one to five weeks to get a certificate of sponsorship, so another month is lost.

There are all these increments of weeks and months that slow things down. It is an awful shame because we genuinely have pretty much the best-run visa system in the world; only Singapore competes. We pretty much have the best priority services on legal migration and services generally in immigration in the world. It is different on the side that deals with asylum and Windrush and so on, but our visa system and our in-country operations for business are really well run.

It is policy that slows things down; it is the five-week wait for the visa from the clauses in the cap; it is the four weeks while you are looking for a scientist in Jobcentre Plus, knowing that scientists do not look in Jobcentre Plus, and so on and so forth. That is where you lose time and integrity.

Chair: Thank you very much indeed. That concludes the formal part of the session. We will reconvene in five minutes to take input from the public gallery and from Twitter. We have had some tweets already. If you are following online, there will be a pause in the video feed until we restart.