



House of Commons
Scottish Affairs Committee

**Immigration and
Scotland: Government
Response to the
Committee's Fourth
Report of Session
2017–19**

**First Special Report of Session
2022–23**

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The Scottish Affairs Committee

The Scottish Affairs Committee is appointed by the House of Commons to examine the expenditure, administration and policy of the Scotland Office (including (i) relations with the Scottish Parliament and (ii) administration and expenditure of the offices of the Advocate General for Scotland (but excluding individual cases and advice given within government by the Advocate General)).

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Publication

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Committee staff

The current staff of the Committee are Stephen Aldhouse (Senior Committee Specialist), Pete Brook (Financial Analyst, Scrutiny Unit), Samantha Colebrook (Committee Operations Officer), Deborah Courtney (Committee Operations Manager), Nerys Davies (Committee Specialist), Chloe Jago (Senior Media and Communications Officer), Alex Knight (Senior Economist, Scrutiny Unit), Leoni Kurt (Clerk), Zac Mead (Second Clerk), Ellen Parry (Committee Researcher) and Chloe Smith (Committee Specialist).

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First Special Report

The Scottish Affairs Committee published its Fourth Report of Session 2017–19, *Immigration and Scotland* (HC 488) on 11 July 2018. The Government's response was received on 25 April 2022 and is appended below.

Appendix: Government Response

I am pleased to provide the Government's response to the Scottish Affairs Committee's report on immigration and Scotland, which was published in July 2018. I am sorry for the length of time your Committee has had to wait for our response, and on behalf of the Government I apologise unreservedly for this delay.

Since the Committee issued its report and recommendations, the UK borders and immigration system has, of course, undergone a radical transformation; this response therefore reflects recent changes whilst addressing the original points raised by your Committee as far as they are still relevant.

The United Kingdom exited the European Union on 31 January 2020. With the ending of free movement we have introduced a new points-based immigration system which prioritises the skills a person has to offer, not where they come from. The Government recognises, of course, the great contribution that generations of migrants from other parts of the UK and from outside the UK have made, and continue to make, to the socio-economic wellbeing of Scotland. Our new system is designed to attract the kind of workers we need to contribute to our economy, our communities and our public services, with the ambition of creating a high-wage, high-skill, high-productivity economy.

On 11 March 2020, the World Health Organisation (WHO) declared the COVID-19 outbreak as a global pandemic. A range of restrictions were implemented in many parts of the world, and the first UK lockdown measures were announced on 23 March 2020. The COVID-19 pandemic has had a significant impact on the UK immigration system, both in terms of restricting migrant movements to and from the UK and the impact on operational capacity. In spite of this, as the most recent immigration statistics show, our system is working well as the UK emerges from the pandemic. With non-EEA work visa applications back to pre-pandemic levels, and EEA work visas increasing since the end of free movement,¹ it is crucial that we do not jeopardise the success of our system.

Since its introduction last year, our new points-based immigration system has made it easier for employers in Scotland to recruit the people they need from overseas. We have redefined what constitutes a 'skilled job', now the equivalent of Higher Grade level in Scotland, and not graduate level as before, and at the same time we have reduced the headline salary threshold from £30,000 to £25,600, both of which have greatly increased the range of occupations available via the Skilled Worker route, including occupations in the fisheries, agriculture and care sectors. And unlike previously, employers no longer have to prove they cannot recruit from within the UK or the European Economic Area (removal of the 'Resident Market Labour Test'), nor is there a cap on the number of skilled

1 <https://www.gov.uk/government/statistics/immigration-statistics-year-ending-december-2021>

workers coming to the UK. In addition to this, the minimum qualifying wage can be as low as £20,480 in certain circumstances, including where an occupation is deemed to be in shortage.

We recognise the concerns among companies, particularly small and medium-sized enterprises, who may never previously have had cause to engage with the immigration system. We are streamlining and simplifying the sponsorship system and are delivering a comprehensive programme of communication and engagement to ensure employers understand how the new system will operate, including the process for registering as a sponsor. This can now be applied for online in 30 minutes, and there is a reduced application fee for small employers; most licence applications are decided within eight weeks. This is a one-off process and, once licensed, employers can sponsor as many skilled workers as they need, with requests for certificates of sponsorship usually processed within a single working day. The Sponsor Management System is also online,² with a Business Helpdesk available to provide support to those who need it.

In March 2019 we introduced the Seasonal Worker visa route, to allow migrant horticultural workers to come to the UK for up to six months. The route has since been extended until the end of 2024 (at which point the position will be reviewed), to support a sector which is reliant on overseas workers, while they transition to recruiting more resident workers. There are 30,000 visas available to horticultural workers this year, but this will be kept under review with the potential to increase by 10,000 if necessary. The number of visas will begin to taper down from 2023, as we are committed to the UK becoming a high-skilled, high-wage economy and the sector must do more to attract resident workers by improving pay and conditions.

Separately, but in a similar vein, through the immigration skills charge the UK Government is hoping to incentivise employers to invest in training and improving the skills of the resident workforce. Investing in skills is vital to achieving our ambitions to increase UK productivity. Data shows that, on average, employers in the UK under-invest in training compared to other countries. Whilst there are many examples of good practice, at an economy-wide level, employer investment in training has been declining for 20 years. The UK currently requires employers looking to bring in a migrant worker on the Skilled Worker and Intra-Company Transfer routes to pay £1,000 per person per year. There is a reduced rate of £364 for small or charitable sponsors. The money raised from the immigration skills charge will be used to address gaps in the UK workforce which will benefit business in the long term.

Notwithstanding the above, employers in Scotland are, of course, still able to recruit any EU nationals living in the UK or in the EU with settled or pre-settled status. The latest quarterly statistics³ show that as of 31 December 2021, more than six million EU nationals and their families have been granted status under the EU Settlement Scheme, of which nearly 300,000 are in Scotland.

As part of our broader reforms of the immigration system we have retained the UK Shortage Occupation List (SOL) and the Scotland-only SOL, both of which provide scope for further flexibility for employers in Scotland in respect of jobs in short supply in Scotland. Later

2 <https://www.gov.uk/uk-visa-sponsorship-employers>

3 <https://www.gov.uk/government/statistics/eu-settlement-scheme-quarterly-statistics-december-2021/eu-settlement-scheme-quarterly-statistics-december-2021>

this year the Migration Advisory Committee (MAC) will be tasked with reviewing the SOL. Recently the MAC secretariat has established a Devolved Nations team, which is intended to provide the Committee members with a greater understanding of the distinct challenges facing the labour markets and economies of each devolved nation, and how these interact with migration. The team has three national leads based in Belfast, Cardiff and Glasgow, and each lead will provide greater capacity for the MAC to engage with stakeholders in their respective nations and make visible to the Committee the distinct challenges these stakeholders face within their national contexts.

We have also significantly improved the immigration system in respect of international students to ensure the UK remains as attractive as possible to students from around the world. As part of these changes we launched the Student and Child Student route in October 2020 and the Graduate route in July 2021. The new routes are streamlined, simplified, and provide clearer pathways for students and graduates who want to progress through their academic career and, in the case of the new Graduate visa, seek employment in the UK after their studies. The Graduate visa permits students to stay in the UK for at least two years after successfully completing an undergraduate course in the UK, or three in the case of PHD or other doctoral qualifications, and work at any skill level, during which time they may switch to a different visa, for example a Skilled Worker visa.

In February 2021, the UK Government published an update to the International Education Strategy, recommitting to the ambitions of the original strategy. These ambitions are to sustainably increase international students in the UK to 600,000 per year, and increase the value of education exports to £35 billion per year, both by 2030. This update set out a number of new actions aimed at supporting the sector's path from pandemic recovery, back to sustainable growth. In the 2020–21 academic year international enrolments increased by 9%, with a total of 605,130 compared to 556,625 in the previous academic year, which includes 152,905 students from within the EU. With this increase we have now met the Government's ambition for the first time of hosting at least 600,000 international students per year by 2030, and the latest statistics show that two universities in Scotland, the University of Edinburgh and the University of Glasgow, are in the top ten of UK universities enrolling international students, ranked third and sixth respectively.⁴

In conclusion, whilst immigration matters are reserved, the UK Government recognises that many areas of policy do have a direct impact on devolved responsibilities and interests in Scotland. We are therefore keen to ensure that we engage effectively in Scotland at both ministerial and official levels with a range of stakeholders, including local authorities and the Scottish Government. Last year the UK Government opened a new hub in Edinburgh, Queen Elizabeth House, within which a new team of policy officials from the Home Office is due to be located, whose primary purpose is to raise the department's profile and accessibility to stakeholders in Scotland. The Home Office will also continue to engage on relevant matters, such as they have done recently around the ongoing situation in Ukraine.

I apologise again for the delay in providing this response.

THE RT HON. ALISTER JACK MP
SECRETARY OF STATE FOR SCOTLAND

4 <https://www.studying-in-uk.org/international-student-statistics-in-uk/#:~:text=Statistics%20show%20that%20the%20total,outside%20of%20the%20European%20Union>