

## Russell Group Proposal for a European Skills Permit

### 1. Summary

European Economic Area (EEA) migrants make a huge contribution to the UK's economy and society. Significant numbers are found across UK industry, the public and third sectors. At Russell Group universities they account for around a quarter of academics and tens of thousands of students choosing to study here each year.

The Government has made clear that freedom of movement will end after the UK has left the European Union and the transition period concludes (31 Dec 2020). At this point new immigration arrangements will be required for EEA migrants entering the UK.

**The Russell Group of universities is proposing a new European Skills Permit to protect the UK's ability to attract European talent while rebuilding public confidence in the immigration system. The Permit is designed to boost the country's knowledge economy at a time when the UK needs to become more competitive.**

It aims to support the UK's businesses as much as its universities and would be available to skilled workers across all sectors as well as students. While its purpose is primarily to facilitate the movement of skilled individuals, the Permit could sit alongside any route introduced by the Government for lower skilled work in areas where employers face clear shortages. The Permit would be available to qualified workers able to demonstrate a job offer or bring a research grant to the UK, and to students with a place at an accredited institution. Successful applicants would have the right to work or study in the UK for up to five years.

### 2. Eligibility

Three categories of EEA nationals coming to the UK for longer than 12 months would be eligible to apply:

- Workers would need to provide evidence of a job offer and demonstrate they meet skill level RQF 6 or above (i.e. degree level)
- Researchers would need to provide evidence of a secured grant to carry out research/innovation at, or in partnership with, an organisation in the UK
- Students would need to show they have secured a place for study at an accredited institution (i.e. licenced Tier 4 sponsor and/or institution registered with the Office for Students)

All applicants would need to prove their identity, EEA nationality and pass standard Government criminality checks. All successful applicants would need to be registered.

### 3. Rights

Once granted the Permit, EEA nationals would have the right to:

- Stay in the UK for up to five years for work and study
- Move between employers or between study and work (subject to eligibility rules) while their leave is valid, with a limit on the amount of time an individual could be unemployed or not in study.<sup>1</sup>

- Bring dependants, in keeping with current rules for non-EEA migrants
- In some circumstances, apply to extend their leave (e.g. a student transitioning from an undergraduate/masters to a PhD)
- Apply for indefinite leave to remain after 5 years' continuous residence. Approval would not be automatic and would depend on Government eligibility rules. We would hope to see a system which encourages the retention of people who make a clear contribution to the UK.

#### 4. Process

We encourage the Home Office to explore establishing a secure system of personalised, digital accounts for future EEA migrants, which could draw on appropriate government databases such as HMRC records and border checks. **The system would be based on the Settlement Scheme IT platform already in development for EU nationals currently living here** or arriving before the end of the transition period.

The application process would be streamlined: confirmation of application would be issued immediately and a decision would be issued within two weeks. As with the EU Settlement Scheme, caseworkers would be available to support applicants and smooth the process. Application costs would be reasonable and internationally competitive.

Appropriate and enforceable safeguards would be needed to ensure permit holders are suitably qualified, that they are genuinely working or studying and that they do not stay longer than they are permitted. Recent exit checks data released by the Government confirms that 97% of skilled workers and students requiring visas comply with their terms and depart the UK on time.<sup>2</sup>

It would be unrealistic and unsustainable to ask organisations such as businesses, universities, schools and charities to sponsor all EEA nationals entering the UK. Under the current system for non-EEA migrants, Tier 2 visas are issued for skilled workers and Tier 4 visas for international students. Sponsors monitor visa compliance and report changes in an individual's circumstances to the Home Office. The bureaucratic burden, however, is already heavy. The rules have become increasingly complicated and change frequently. The CBI has stressed that the Tier 2 system is a "prohibitively complex, time consuming and expensive process to navigate".<sup>3</sup>

A system for EEA nationals which depended on employers, institutions and organisations assuming similar sponsorship responsibilities would not succeed. It is a matter of scale: when freedom of movement ends, as the Government has said it will, the number of migrants needing to be officially accounted for in the immigration system will rise significantly. Using recent figures as a guide, the increase could be over 70%.<sup>4</sup>

Instead, a new balance of responsibility should be pursued, in which greater expectations are placed on individuals to keep their personal information up to date, employers and other organisations make robust checks and the Home Office is able to oversee the system effectively and take enforcement action where necessary. This will require investment in the state's immigration infrastructure.

#### 5. Option to extend

The European Skills Permit has the potential to be expanded as the UK looks to agree new trade deals with other nations, helping the Government realise its ambition for a truly global Britain and a vibrant knowledge economy.

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<sup>1</sup> There are examples of this in other countries, such as the OPT visa in the United States, which allows graduates to stay and work for up to 12 months and restricts any period of unemployment to a maximum 90 days.

<sup>2</sup> [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/735224/third-report-on-statistics-being-collected-under-exit-checks.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/735224/third-report-on-statistics-being-collected-under-exit-checks.pdf)

<sup>3</sup> CBI 'Open and Controlled: A New Approach to Immigration after Brexit'  
<http://www.cbi.org.uk/index.cfm/?api/render/file/?method=inline&fileID=4232B592-ACCC-40DB-9338BA0A97198435>

<sup>4</sup> According to ONS figures between 2017 and 2018, 316,000 non-EU migrants entered the UK and a further 226,000 entered from the EU  
<https://www.ons.gov.uk/peoplepopulationandcommunity/populationandmigration/internationalmigration/bulletins/migrationstatisticsquarterlyreport/august2018#migration-patterns-for-eu-and-non-eu-citizens>