RESPONSE TO THE HOUSE OF COMMONS SELECT COMMITTEE
ON SCIENCE AND TECHNOLOGY ON A FUTURE IMMIGRATION
POLICY FOR SCIENCE AND INNOVATION

Summary
- The internationally leading standing and competitiveness of the UK’s research and innovation base is highly reliant on its ability to attract, recruit and retain internationally mobile talent, wherever it may be located, to work and study in our academic and industrial organisations. A proportionate and flexible immigration system is required to support the collaborative needs and ambitions of those operating in the UK’s research and innovation sectors.

- The UK needs to be viewed as being ‘open for business’. The narrative on immigration requires to make clear that the UK needs and values skilled and talented migrants, rather than a narrow focus on reducing levels of net migration. While we recognise there is some public anxiety about immigration, opinion surveys indicate public support for high-skilled immigration.

- The cap on Tier 2 skilled worker visas should be reviewed urgently. Immigration policy needs to be informed by objective evidence of skills needs and the social and economic impacts of immigration, as opposed to being based on arbitrary restrictions. In the immediate term, applications for roles covered by the Shortage Occupation List should be exempt from the Tier 2 visa cap.

- UK immigration policy should take account of the distinctive needs and circumstances of the devolved nations. The Scotland Shortage Occupation List (Scotland SOL) is the only element of the UK immigration system where it is possible to consider the needs of Scotland relative to the rest of the UK. The Scottish Government does not have any formal responsibility for the Scotland SOL, with decision-making authority residing with the UK Government. The Scotland SOL will need to fully take account of Scotland’s demographic circumstances and projected labour market needs, not only current shortages. In order to ensure that the Scotland SOL is reflective of and responsive to Scotland’s needs, consideration should be given to strengthening Scottish representation on the UK Migration Advisory Committee (MAC) and/or establishing a Scotland-specific MAC.

- The UK Government should remove student migration from the net migration target to make it clear it wants talent to come to the UK. The Government should also reintroduce the post-study work visa for graduates from all universities. Taking these immediate actions would help alleviate the tension between the UK Government’s commitment to reduce net immigration and its ambition to ensure that the UK remains a hub for international talent.

Introduction
1 The Royal Society of Edinburgh (RSE) welcomes the opportunity to respond to the Select Committee’s call for evidence on a future immigration policy for science and innovation. As well as considering future immigration policy from a UK perspective, it will be important for the Committee to reflect on the distinct circumstances and needs of the devolved nations. As Scotland’s National Academy, the RSE is well placed to contribute to this. Should the Committee find it useful, we would be pleased to identify experts from our Fellowship to take part in subsequent evidence sessions on this issue.
2 Immigration policy needs to be sufficiently proportionate and flexible to enable the UK to attract and retain research and innovation talent in what is a global marketplace. This approach is needed to support strategically important developments, including the UK’s Industrial Strategy. Given the continued uncertainty about the UK Government’s plans for post-Brexit immigration policy, the RSE welcomes the Committee exploring the potential for introducing immigration arrangements that work for science and innovation.

3 It is crucial that the UK is seen as being ‘open for business’, and that the narrative on immigration requires to be clear that the UK needs and values skilled and talented migrants, rather than a narrow focus on reducing levels of net migration. While we recognise there is some public anxiety about immigration, public opinion surveys indicate public support for high-skilled immigration. A recent YouGov survey indicates that over 70% of people are happy with either the same or increased levels of skilled immigration, with almost three-quarters (73%) being happy with existing or increased numbers of foreign students paying to study at UK universities. In this context, the RSE very much welcomes the recent comments from the Home Secretary stating that he will look afresh at UK immigration policy with a view to ensuring that the UK is able to attract highly skilled migrants.

**Question 1:** If an early deal for science and innovation could be negotiated, what specifically should it contain in relation to immigration rules and the movement of people involved with science and innovation?

4 The internationally leading standing and competitiveness of the UK’s research and innovation base is highly reliant on its ability to attract, recruit and retain talented people, wherever they may be located, to work and study in our academic and industrial organisations. This applies not only to researchers, academics and students, but also to other vital support staff, including technicians, without which science and innovation could not function. Therefore, it is crucial that the UK’s science and research sectors maintain the ability to attract global talent as well as continuing to develop the domestic skills base.

5 There are three specific types of position within the science and engineering community that need to be considered when discussing future migration arrangements. These are: long term employment, fixed term employment and students (undergraduate and postgraduate). The first two types occur in industry and academia, while students are mainly located in academic environments. As well as the individuals themselves, the immigration status of their dependants is a crucial consideration as it will have a significant bearing on the extent to which people are willing and able to work and study in the UK.

### Science and Innovation Employees

6 Tier 1 (Exceptional Talent) and Tier 2 (general) visas are the main immigration routes for skilled non-EEA migrants. It is therefore important that their use is reviewed in the context of the UK Government’s plans for developing a future immigration system that enables the UK to attract, retain and harness the contribution of internationally mobile talent.

7 The UK Government has recently doubled the number of Tier 1 visas from 1,000 to 2,000 annually, for exceptional researchers, technologists, creators and innovators. However, Home Office immigration statistics show that there were only 409 Exceptional Talent visa applicants in 2017, which happens to be the highest number of applicants on record. This demonstrates that doubling the number of these visas will need to be accompanied by action to increase their uptake to help ensure this route is more fully utilised. Developments in this area should be evaluated and kept under review. Given the focus on exceptional talent and the relatively small numbers involved, this route is not going to address the undersupply of scientists, engineers and innovators.


Most non-EEA migrants working in research and innovation-related fields will fall under Tier 2 visas for international skilled workers. The RSE is firmly of the view that the current Tier 2 visa arrangements, particularly the arbitrary cap on the number of visas that can be issued (currently, 20,700, annually) and the fixed salary thresholds, need to be addressed. Otherwise, it puts at risk the UK Government’s ambitions for the UK to remain a hub for international talent.

Data gathered from the Home Office by the Campaign for Science and Engineering (CaSE) (of which the RSE is a member) shows that between December 2017 and March 2018, over 6,000 eligible applications for a Tier 2 visa were refused due to the cap on visas having been reached. Of these refusals, 3,500 were in the broad areas of science, engineering, technology, STEM teaching, medicine and innovation. As well as resulting in employers not being able to fill skilled roles in research and innovation, with adverse consequences for their productivity and competitiveness, the cap is damaging to the UK’s ambition of remaining outward looking, open and welcoming, particularly to talented individuals whose skills will be in high demand. The cap on skilled worker visas needs to be reviewed urgently. It is crucially important that any future immigration system is informed by objective evidence, including ongoing dialogue with employer representatives in the research and innovation fields, as opposed to setting arbitrary restrictions. In the immediate term, applications for roles covered by the Shortage Occupation List, 75% of which comprises STEM-related roles, should be exempt from the visa cap. This will meet the twin aims of helping to address acute skills shortages, while freeing up visa places for other in-demand skills.

UK immigration policy needs to be able to take account of the distinctive needs and circumstances of the devolved nations. With a view to putting the data in a local context, and seeing how it compares with the other UK nations, the RSE intends to seek information from the Home Office on how many of the science and innovation visa refusals related to Scotland-based employer sponsors. We would be pleased to send to the Select Committee any information that we receive in this regard.

Along with addressing the cap on Tier 2 visas, there is a compelling case for examining whether there should be more flexibility in the Tier 2 fixed salary thresholds (currently around £30,000) given UK regional wage differentials. More nuanced regional salary criteria are likely to be welcomed by regional employers, including those in Scotland, who are trying to fill skilled positions in science and innovation.

Currently, the Scotland Shortage Occupation List (Scotland SOL) is the only element of the UK immigration system where it is possible to consider the needs of Scotland relative to the rest of the UK. The Scotland SOL methodology will need to fully take account of Scotland’s demographic circumstances and projected labour market needs, not only current shortages. It is important to note that the Scottish Government does not have any formal responsibility for the Scotland SOL, with decision-making authority residing with the UK Government. It will be important to ensure that the Scotland SOL is reflective of and responsive to Scottish input. Options include strengthening Scottish representation on the UK Migration Advisory Committee (MAC) and/or establishing a Scotland-specific MAC.

Current UK immigration policies and the removal of the post-study work visa are having a detrimental impact on the ability of Scotland’s universities to attract international students and for them to remain in Scotland following their studies. The RSE agrees strongly with the recommendation made by many UK Parliamentary Committees that the UK Government should remove student migration from the net migration target to make it clear it wants talent to come to the UK. Coupled with this, it should reintroduce the post-study work visa for graduates from all universities.

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4 See, for example, Universities Scotland: https://www.universities-scotland.ac.uk/campaigns/post-study-work-for-international-students/
Taking these immediate actions would help alleviate the tension between the UK Government's commitment to reduce net immigration and its ambition to ensure that the UK remains a hub for international talent. Unlike the UK, its competitors, including the USA, Canada and Australia, regard international students as temporary rather than permanent migrants.

14 UK immigration policy needs to be underpinned by accurate data. The reintroduction of exit checks shows that 97% of foreign students departed the UK on time after finishing their studies, and addresses previous overestimates of the number of students that overstay.5

15 The RSE's recent response to the MAC on the impacts of international students in the UK provides a fuller analysis of the varied ways in which international students contribute to the learning, cultural and economic wellbeing of Scotland's universities and the wider economy.6

**Question 2: What are the specific career needs of scientists in relation to movement of people, both in terms of attracting and retaining the people the UK needs and supporting the research they do?**

16 Researchers and innovators want and need to work with the best in their field, irrespective of where they are located, or with which institution they are affiliated. A report commissioned by the Royal Society, London, highlights the importance of researcher mobility, with 79% of the researchers surveyed indicating that there is an expectation for researchers to be internationally mobile.7 Opportunities must also exist for UK scientists and innovators to work and study abroad as part of their career development. A proportionate and flexible immigration policy will therefore be required to support the collaborative needs and ambitions of those operating within the UK's research and innovation sectors.

17 The UK's higher education and research landscape relies substantially on the contributions made by EU and international staff. Foreign nationals comprise nearly 30% of academic staff in the UK. Notably, Scotland employs proportionally more non-UK EU (18.3%) and non-EU (13.4%) academic staff compared to the UK as a whole.8 Additionally, a quarter (24.8% FPE) of Scotland's research-only staff are from the EU.9 It is important to recognise that for some disciplines the UK's academic and research base is especially reliant on international staff. For example, foreign nationals in engineering and technology account for 46% of academic staff in Scotland and 42% in the UK as a whole.

18 To avoid potentially disruptive and damaging implications for the UK's research and innovation sectors arising from changes to immigration policy, future immigration arrangements will need to facilitate the following forms of movement.

**Long-term migration:**

- Recruitment to advertised posts – initiated by the employer. The strongest candidate is selected, irrespective of nationality.
- Relocation of research and innovation talent to the UK – initiated by the individual e.g. named holders of research grants or recognised fellowships, investors, business founders, those with skills in short supply.

**Temporary migration after which the individual will leave the UK:**

- Short visits (up to 6 months) e.g. visit a collaborator, give a lecture, sit on an interview panel.
- Temporary work (1-2 years) e.g. secondments, placements, training, co-location for collaboration, use of a UK-based facility, staff exchange, addressing an urgent research issue (e.g. disease outbreak).
- Intra-company transfers.
- Formal study in approved education establishments with options for remaining in the UK.

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7 International Mobility of Researchers; A Survey of Researchers in the UK; RAND Corporation for the Royal Society; May 2017 https://royalsociety.org/~/media/policy/projects/international-mobility/researcher-mobility-report-survey-academics-uk.pdf


9 http://www.universities-scotland.ac.uk/publications/brexit-priorities/
The RSE endorses the CaSE recommendation that a future streamlined immigration system needs to retain the ease of movement currently afforded to researchers and innovators from the EEA and their dependants, while reducing barriers to mobility for those from outside the EEA.

**Question 3:** What aspects of the ‘people’ element need to be negotiated with the EU-27, as opposed to being simply decided on by the UK Government?

Negotiations with the EU-27 would be required for agreeing reciprocal arrangements for the frictionless movement of those working in research and innovation and their dependants following the end of the Brexit transition period.

Securing direct and full participation in Horizon 2020 and its successor Framework Programme, Horizon Europe, should be a priority for the Brexit negotiations. This is required in order to provide certainty to the UK’s research and innovation community. Based on existing precedent, ‘associated status’ is currently the only means of securing the UK’s direct participation in EU research funding programmes, which would include the European Research Council (ERC) following the UK’s withdrawal from the EU. The terms of association would need to be agreed between the UK and EU-27, including, significantly, the need to reach an agreement on the financial contribution that the UK would be expected to make to enable it to participate in framework programmes post-Brexit. While other associate countries make financial contributions in proportion to their GDP, the scale of the UK’s research base in comparison to other associate countries, coupled with the fact that the UK is presently a net beneficiary of Horizon 2020 funding, makes this very uncertain and unpredictable territory.

**Question 4:** On what timescale is clarity needed in relation to future immigration rules in order to support science and innovation in the UK?

In order to provide clarity, certainty and to ensure that the UK is seen as ‘open for business’, future immigration arrangements need to be articulated as soon as possible for non-UK nationals here already or those intending to come here for work and/or study.

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**Additional Information**

This Advice Paper has been signed off by the General Secretary of the RSE.

Any enquiries about this Advice Paper should addressed to Mr William Hardie 
(email: whardie@theRSE.org.uk)

Responses are published on the RSE website (https://www.rse.org.uk/)

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