

Response from the Royal Society of Biology to the Migration Advisory Committee call for evidence on EEA-workers in the UK labour market

October 2017

The Royal Society of Biology (RSB) is a single unified voice, representing a diverse membership of individuals, learned societies and other organisations. We are committed to ensuring that we provide Government and other policymakers, including funders of biological education and research, with a distinct point of access to authoritative, independent, and evidence-based opinion, representative of the widest range of bioscience disciplines.

The Royal Society of Biology has collected case studies and opinions deriving from individuals who study and work within the biosciences in the UK. These individuals comprise, for example, those who direct and carry-out research within UK Higher Education (HE) institutions. With this ongoing activity, we aim to gauge the economic and social impacts of the UK's exit from the European Union on, and related to, this important sector. The following bullet points are distilled from our collection of case studies thus far. They lay out the key concerns that have been brought to our attention, and which should be taken into consideration in the building of a UK immigration system which is aligned with a modern industrial strategy.

A particular point of concern that has been brought to our attention is the apparent inflexibility of the current application system for indefinite leave to remain, which no longer allows an exemption for work-related travel from the maximum allowance for time spent overseas annually. This inflexibility is making it difficult for UK researchers who are non-EU foreign nationals, and who carry-out long term research projects in the field abroad as part of their work, to continue to reside and work in the UK. Such inflexibility is in itself a concern for the UK research and development sector and the issue would be compounded should the same requirements be made of EEA-workers in future. Please see point 3. below for further details.

1. Uncertainty

Uncertainty over the continued rights of established EU nationals working and living in the UK, and in general over the requirements of the UK immigration system during the extended period of UK transition out of the EU, and following completion of UK's exit from the EU, is causing some scientists who work within the UK to leave and work elsewhere in Europe and beyond. In some cases these scientists conduct highly specialised research that contributes significantly to the UK economy and to the UK's leading position in combatting global challenges such as antimicrobial resistance- a key public health issue today. Such uncertainty also has impact on funding for research, with many case-study contributors citing rescindment of previously guaranteed funding for their research as a result of the uncertainty surrounding the UK's exit from the EU, and the perceived risk of related impacts. Such rescindment also represents significant wasted resources on the part of researchers, and thus on the part of their funding providers- such as the UK Research Councils.

2. Rights and status

For those within the bioscience community who live in the UK, and would like to continue to do so, large fees and bureaucracy centred around applications for settled status, or gaining citizenship/passports for themselves and/or their family, has also been cited as an issue of particular concern- and another reason why skilled bio-scientists might choose to leave the UK. Related concerns have also been cited, linked to quality of life for those choosing to remain in, or to move to the UK. These include concerns over eligibility for NHS treatment or special care for disabled children, pensions, and future permissions to work, for example.

3. Inflexibility in the current system

Related to the previous point on future permissions to work, one of our contributors has advised us of a current issue with the immigration system which negatively affects non-EEA workers within the UK biosciences sector- related to inflexibility in accommodating working practices- an issue likely to cause similar problems in other sectors too. This issue should be taken account of when building improvements into the current UK immigration system, both for EEA and non-EEA workers. Contributors have advised us that, currently, non-EU foreign nationals, who for example, hold a post-doctoral research position with a relatively short term (sometimes 2-3 year) working contract, are required to maintain their Tier 2 visa to work within the UK. Once they reach the maximum extension of their Tier 2 visa (equating to a total allowed stay in the UK of not more than 6 years), to remain working within the UK they need to apply for settlement or 'indefinite leave to remain' in the UK (ILR). However, the application for ILR appears to require proof of not more than 90 days spent abroad in the past year. Researchers working overseas in the field- such as ecologists who do field work in the tropics- may spend several months doing so as part of their work. We have been advised that, in previous years, the Home Office would accept adequately evidenced letters from employers stating that the applicant was overseas for work as exemption from the 90 day rule- enabling them to meet the requirements of the ILR application. According to our contributors, the Home Office has

since altered the requirements of the application, to disallow travel for work as an exception to the 90 day rule. However, the result is that such researchers are no longer eligible to remain in the UK through the current application routes available. Aside from the likely damaging effects on such an individual's career and personal life, this represents another, ongoing potential loss of skilled researchers and innovators from the UK- with the economic effects that this engenders. Should the same be true for EEA-workers in a future immigration system, coupled with the impact described in point 4 below, it could represent a very substantial negative effect on UK research and innovation- with evident deviation from the aims of a modern UK industrial strategy.

4. Impact on the biosciences and industrial strategy

The effects of UK immigration practice on the biosciences are likely to be large, since this sector and the science, technology, engineering, maths and medical (STEMM) sectors in general nurture and depend on an environment of international collaboration at all levels- not just in terms of shared personnel, but in terms of shared funding, tools and expertise too. As such, many research departments within research institutions are populated with a mixture of UK citizens and non-UK citizens; EEA and non-EEA workers. A full picture of the UK science workforce is not available but as an illustration, 24% of employees in HE institutions are international; the largest group (16%) are from the EU (non-UK). For example, one case-study contributor cited that between 2001 & 2017, on average 70-100% of their laboratory members have been non-UK citizens. High impact research and development, producing positive social and economic outcomes for the UK and other countries globally, depends on this level of collaboration- on the direct sharing of knowledge and expertise. An immigration system that hinders such personnel from studying, living and working in the UK with appropriate ease would not, therefore, be aligned with the aims of a modern industrial strategy for the UK, which counts science and innovation as one of its key pillars.

The Society welcomes the Committee's consultation on the EEA-workers in the UK labour market. We are pleased to offer these comments, which have been informed by specific input from our members and member organisations across the biological disciplines (Appendix A). The RSB is pleased for this response to be publicly available.

For any queries, please contact the Science Policy Team at Royal Society of Biology, Charles Darwin House, 12 Roger Street, London, WC1N 2JU. Email: policy@rsb.org.uk

Appendix A: Member Organisations of the Royal Society of Biology

Full Organisational Members

Academy for Healthcare Science
 Agriculture and Horticulture Development Board
 Amateur Entomologists' Society
 Anatomical Society
 Association for the Study of Animal Behaviour
 Association of Applied Biologists
 Bat Conservation Trust
 Biochemical Society
 British Andrology Society
 British Association for Lung Research
 British Association for Psychopharmacology
 British Biophysical Society
 British Crop Production Council
 British Ecological Society
 British Lichen Society
 British Microcirculation Society
 British Mycological Society
 British Neuroscience Association
 British Pharmacological Society
 British Phycological Society
 British Society for Cell Biology
 British Society for Developmental Biology
 British Society for Gene and Cell Therapy
 British Society for Immunology
 British Society for Matrix Biology
 British Society for Medical Mycology
 British Society for Nanomedicine
 British Society for Neuroendocrinology
 British Society for Parasitology
 British Society for Plant Pathology
 British Society for Proteome Research
 British Society for Research on Ageing
 British Society of Animal Science
 British Society of Plant Breeders
 British Society of Soil Science
 British Society of Toxicological Pathology
 British Toxicology Society
 Daphne Jackson Trust
 Drug Metabolism Discussion Group
 Fisheries Society of the British Isles
 Fondazione Guido Bernardini
 GARNet
 Genetics Society
 Heads of University Centres of Biomedical Science
 Institute of Animal Technology
 Laboratory Animal Science Association
 Linnean Society of London
 Marine Biological Association
 Microbiology Society
 MONOGRAM – Cereal and Grasses Research
 Community
 Network of Researchers on Horizontal Gene Transfer
 & Last Universal Cellular Ancestor
 Nutrition Society
 Quekett Microscopical Club

Royal Microscopical Society
 SCI Horticulture Group
 Science and Plants for Schools
 Society for Applied Microbiology
 Society for Experimental Biology
 Society for Reproduction and Fertility
 Society for the Study of Human Biology
 Systematics Association
 The Field Studies Council
 The Physiological Society
 The Rosaceae Network
 Tropical Agriculture Association
 UK Environmental Mutagen Society
 UK-BRC – Brassica Research Community
 University Bioscience Managers' Association
 VEGIN – Vegetable Genetic Improvement Network
 Zoological Society of London

Supporting Organisational Members

Affinity Water
 Association of the British Pharmaceutical Industry
 (ABPI)
 AstraZeneca
 BASIS Registration Ltd.
 BioIndustry Association
 Biotechnology and Biological Sciences Research
 Council (BBSRC)
 British Science Association
 CamBioScience
 Envigo
 Ethical Medicines Industry Group
 Fera
 Forest Products Research Institute
 Institute of Physics
 Ipsen
 Medical Research Council (MRC)
 MedImmune
 Pfizer UK
 Porton Biopharma
 Procter & Gamble
 Royal Society for Public Health
 Syngenta
 Understanding Animal Research
 Unilever UK Ltd
 Wellcome Trust
 Wessex Water
 Wiley Blackwell