

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

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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