

## Call for evidence on wider review of Tier 2

### Response from the Russell Group

#### 1. Summary

- A strong base of international talent enables research-intensive universities to remain globally competitive and is fundamental in underpinning excellence in research, innovation and education that helps to drive economic growth.
- We are concerned that the cumulative impact of the proposals being considered by the MAC could have significant negative consequences for the UK's universities and research base. Careful consideration is needed before any reforms are made to the Tier 2 route to ensure universities can continue to recruit and retain world-leading academics and researchers and to attract talented international students.
- Under the proposed changes on minimum salary thresholds, for example, our universities would no longer be able to sponsor the majority of international researchers and academics under Tier 2 on current salary levels. Universities have neither the ability nor the resources to increase salaries accordingly to reach the new proposed thresholds. If taken forward, these changes could therefore create significant challenges for UK research and higher education.
- We hope that in any recommendations on a reformed Tier 2 route, the MAC will continue to acknowledge that earnings thresholds alone are not fit for purpose as a proxy for the level of skill and specialisation necessary to undertake research and teaching roles in universities.
- Universities are different from other businesses, and their *raison d'être* and core mission is to create knowledge, to innovate and educate. Knowledge is not bounded by national borders and it is essential for universities to be able to attract the most talented individuals in their fields from anywhere in the world. We urge the Government to exempt universities from the Tier 2 levy as it would create a perverse outcome, penalising institutions for their success in attracting the best researchers and academics from a limited international pool. The application of the levy would also ignore the huge investment universities already make in the provision of high-level skills for the UK, including through apprenticeships.
- As not-for-profit institutions, universities have no room for manoeuvre when additional costs are imposed. Introducing an additional cost to recruiting world-leading researchers and academics through a levy on international recruitment could simply make research more expensive to conduct and reduce the money available for other activities including teaching, knowledge exchange and the development of staff. Such an outcome could limit the UK's ability to develop 'home-grown' talent to a highly skilled level in future and have a negative impact on the nation's international competitiveness in research and education.

- Should the Tier 2 route be reformed so that an expanded shortage occupation list becomes the only means through which migrants can be recruited to the route, PhD level research and teaching positions in universities should be added to the list on a permanent basis. This would ensure that universities can continue to attract and retain the best talent from anywhere in the world and enable them to maintain their globally competitive position in research and education.
- Separate arrangements may need to be made for Tier 4 graduates switching to Tier 2 within any reformed route to ensure the UK can continue to capitalise on the skills and expertise of recent international graduates and avoid any negative impacts on the UK's competitiveness in international education.
- We would also wish to see international researchers and academics removed from any 'sunset clause' on shortage occupations. Universities will always need to be able to attract the 'best and brightest' talent from around the world, so the risk that the ability to recruit international researchers and academics may be removed will affect the attractiveness of the UK as a destination for research and teaching talent.
- Any move to introduce restrictions on the ability of Tier 2 dependants to work is likely to make it harder for our universities to recruit international staff and may mean we would lose the best talent to overseas competitors. The provision of work rights for dependants is a fundamental aspect of an attractive offer for universities to recruit and retain highly talented researchers and academics.

## 2. Context

- 2.1 The purpose of the Russell Group is to provide strategic direction, policy development and communications for 24 major research-intensive universities in the UK; we aim to ensure that policy development in a wide range of issues relating to higher education is underpinned by a robust evidence base and a commitment to civic responsibility, improving life chances, raising aspirations and contributing to economic prosperity and innovation.
- 2.2 We welcome the opportunity to provide evidence to the Migration Advisory Committee (MAC) on the wider review of the Tier 2 route following the short consultation on minimum salary thresholds, to which we also responded.<sup>1</sup> Our evidence to the wider review relates to the following proposals which the MAC has been asked to consider:
- (a) Options to re-focus the Tier 2 route on areas where there are 'genuine skills shortages' and where highly specialist experts are needed
  - (b) How to limit the time that sectors can remain on a shortage list (i.e. introducing 'sunset' clauses for shortage occupations)
  - (c) The implementation of a levy on Tier 2 visas to fund apprenticeships
  - (d) Restrictions on the automatic right of Tier 2 dependants to work
- 2.3 We understand that the MAC will also consider further evidence on the proposal to raise the minimum salary thresholds for Tier 2 and, alongside the evidence we have

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<sup>1</sup> See: <http://www.russellgroup.ac.uk/policy/policy-documents/review-of-salary-thresholds-for-skilled-worker-visas/>

already submitted, we have included some additional analysis on the impact of the proposals in this response (see section three below).

2.4 Russell Group universities are well-placed to provide evidence to the review of Tier 2 as the ability to recruit the ‘brightest and best’ talent from overseas (as well as from within the UK) is essential to the future sustainability of research-intensive universities and to maintain the UK’s position on the global stage as a world-leader in research, innovation and education. International researchers, academics and students make a considerable contribution to the success of the UK’s universities and to the economy as a whole. In particular:

- International researchers and PhD students are essential in continually refreshing the UK’s research base, and in **maintaining and developing our position as a world-leading research nation.**<sup>2</sup> It is no coincidence that our universities, which attract a high proportion of world-leading international researchers and academics, are the driving force behind the UK’s world-leading research performance.<sup>3</sup>
- Many of the international researchers our universities attract are leading experts in economically important STEM subjects. They boost the absorptive capacity for knowledge and innovation in the UK, helping to underpin future growth and prosperity.
- International academics play **a critical role in educating future generations and producing a highly skilled workforce in the UK.**<sup>4</sup> An international base of highly skilled researchers and academics is also essential for universities in **enabling access to vital international research funding** (both from overseas governments and private companies) and in **attracting inward investment** to their regions, benefiting the local and national economy.<sup>5</sup>
- International students studying at all levels provide a range of very significant net benefits to the UK, generating **billions of pounds in export earnings every year, establishing global trade and R&D links and enhancing the academic success of our universities.**<sup>6</sup>

2.5 See **Annex A** for some illustrative examples of the impressive contributions which international staff and students have made to our universities and to the UK as a whole.

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<sup>2</sup> ‘International Comparative Performance of the UK Research Base – 2013: A report prepared by Elsevier for BIS’

<sup>3</sup> Whilst the UK represents less than 1% of the world’s population, we represent 4% of researchers globally, and produce 16% of the world’s most highly-cited articles, of which nearly three quarters are produced by Russell Group researchers.

<sup>4</sup> Over a third of academic staff at Russell Group universities are non-UK nationals, with over 15 per cent from outside the EU.

<sup>5</sup> For example, at one of our universities current Tier 2 researchers have attracted over 200 funding awards totalling over £120 million.

<sup>6</sup> Higher education is one of the UK’s most successful export industries and is estimated to contribute more than £10 billion a year in overseas earnings. Source: BIS, ‘International Education: Global Growth and Prosperity’, (2013). New evidence also shows that international students continue to boost British FDI to their home countries even decades after graduating from UK universities. Source: ‘Soft, hard or smart power? International students and investments abroad’, Marina Murat (2014).

- 2.6 The majority of international (non-EU) staff at our universities are on Tier 2 (General) visas and the route is currently working well, providing a 'tried and tested' avenue for international staff undertaking a range of roles at different stages of their careers, from promising early-career researchers to world-leading professors. The Tier 2 route also provides a valuable opportunity for international graduates of our universities to remain in the UK in order to undertake highly skilled graduate employment and this is the only opportunity for graduates of taught courses to gain work experience in the UK following the closure of the Post-Study Work route.
- 2.7 Universities are different from other businesses, offering a unique environment in which intellectual inquiry and discovery can flourish and the boundaries of human knowledge and understanding are continuously extended. Indeed, the core of their business is knowledge, and as knowledge is not bounded by national borders it is essential for universities to be able to attract talented individuals from anywhere in the world. More so than any other type of business, universities are both outward looking and forward looking: collaborating internationally and tapping into the world's knowledge base for the benefit of the UK; and creating the pool of talent, knowledge and understanding that will help drive growth and ensure the UK is well prepared for the future.
- 2.8 Such is the level of specialised skill and knowledge which universities require in their workforce there are often only a handful of individuals internationally who are able to fulfil the requirements for particular posts. A reduction in the ability of our universities to recruit and retain global research and teaching talent would therefore mean that some posts may be left unfilled and universities would no longer be able to recruit the best candidate for the role, damaging their competitive position internationally.
- 2.9 Such an outcome would have a detrimental impact on the UK's research standing. It may also affect the quality of research and teaching, particularly as UK domiciled researchers and academics are also globally mobile and may choose to build their careers overseas if the UK's research base becomes less internationally competitive. In turn, this could also have a knock-on impact in terms of inward investment into UK universities. For example, multinationals will choose to make international investments in R&D at the best universities and could decide to relocate R&D centres based at UK universities if the country's research standing declines.<sup>7</sup>
- 2.10 In the event that access to Tier 2 is restricted for PhD level positions and for international students, the financial benefits that universities are currently able to contribute to the UK economy could be seriously diminished: Russell Group universities generate in excess of £32 billion a year in economic output and support more than 300,000 jobs.
- 2.11 **A strong base of international talent enables research-intensive universities to remain globally competitive and is fundamental in underpinning excellence in research, innovation and education that helps to drive economic growth.**
- 2.12 **We are concerned that the cumulative impact of the proposals being considered by the MAC would be disproportionately negative for the UK's universities and research base. Careful consideration is needed before any reforms are made to the Tier 2 route to ensure universities can continue to recruit and retain world-**

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<sup>7</sup> UK-Innovation Research Centre 'The Economic Significance of the UK Science Base: A report for CaSE' (2014)

**leading academics and researchers and to attract talented international students.**

### **3. Any refocusing of the Tier 2 route must continue to prioritise PhD level positions**

- 3.1 We understand that the MAC has been tasked to consider options to reduce the number of highly skilled migrants entering the UK through Tier 2 including through restricting recruitment to 'genuine skills shortages' and 'highly specialist experts'. In this section, we outline the impact which various options to restrict access to Tier 2 would have for our universities, for the UK's research standing, and for the national economy and productivity.
- 3.2 It is worth noting that the number of employees UK universities recruit through Tier 2 makes up only a very small proportion of total sponsored migrants through the route (around 5 per cent of all Tier 2 visa entrants),<sup>8</sup> and the number of certificates issued has remained steady over time as the route has 'bedded in'. It is clear therefore that universities and the research base more generally are not 'heavy users' of Tier 2, instead recruiting a small but significant number of researchers and academics from overseas where they are the best candidates for a particular position. The majority of post-doctoral researchers are also on fixed-term contracts, which are limited by the term of their grant funding, meaning that there is a high turnover in Tier 2 researchers who do not therefore significantly contribute to net migration.

#### *Proposals on minimum salary thresholds*

- 3.3 As we highlighted in our response to the previous call for evidence, the proposals to raise minimum salary thresholds significantly would be very likely to result in the UK losing talented international staff to overseas competitors. The likelihood is that there would also be a detrimental impact on the UK's competitiveness in international higher education, as the Tier 4 route would appear less attractive if the prospect of being able to switch into Tier 2 became more remote.
- 3.4 Based on data from a sample of our universities, we estimate that:<sup>9</sup>
- There are around 7,100 members of staff at our universities currently on Tier 2 visas (about two-thirds of all international (non-EU) staff at our universities).
  - Around 90 per cent of all Tier 2 staff at our universities are researchers and academics in the following occupations (by SOC code): 2119 'Natural and Social Science professionals' and 2311 'Lecturers and other HE Teaching Professionals'.

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<sup>8</sup> Home Office data, CoS used by SOC code (2311 and 2119) 2010-2015.

<sup>9</sup> Based on a sample of data from our universities and aggregated based on HESA staff data. Roles affected include: early career researchers, post-doctoral researchers and more senior research roles, and in particular, clinical researchers (as NHS pay scales which have not increased since 2013), lecturers, language instructors and teaching fellows. Salary data used is ASHE 2014.

- If minimum salary thresholds were raised from the 25<sup>th</sup> to the 50<sup>th</sup> percentile for experienced workers, our universities would no longer be able to employ over 70 per cent of Tier 2 PhD roles at current salary levels.
- Raising thresholds to the 75<sup>th</sup> percentile would mean 90 per cent of researchers and academics at our universities could no longer be employed at current levels.

3.5 As not-for-profit organisations, universities do not have the necessary elasticity within their budgets to cover significant additional salary costs for Tier 2 employees, and are unlikely to be able to increase salaries accordingly for a number of reasons. In particular:

- (a) Universities are under various constraints in terms of their ability to vary the salary offered for particular roles including nationally agreed pay scales and government pay constraints for publicly funded roles – for example, roles funded through the Research Councils.
- (b) University budgets are also constrained as public funding for research is currently subject to a flat-cash settlement, with the future of resource funding for research uncertain, and student fees have not risen with inflation.
- (c) Any pressures to raise salaries could also create issues of equality with the potential for international staff being paid at a higher rate than domestic staff, skewing market salaries.

3.6 It is also important to note that universities sponsor a relatively small number of individuals for positions which are not classed as teaching or research roles, for example, senior administrative positions, project engineers, software developers or technicians. All of these positions require highly skilled individuals of whom there may only be a small number internationally, and many of these roles are critical to the success of research and innovation projects at our universities.<sup>10</sup> Our universities' ability to continue to sponsor individuals for these roles is also likely to be significantly affected by the proposed changes to minimum salary thresholds.

**3.7 Under the proposed changes on minimum salary thresholds, our universities would no longer be able to sponsor the majority of international researchers and academics under Tier 2 on current salary levels. Universities have neither the ability nor the resources to increase salaries accordingly to reach the new proposed thresholds. If taken forward, these changes could therefore create significant challenges for UK research and higher education.**

**3.8 We hope that in any recommendations on a reformed Tier 2 route, the MAC will continue to acknowledge that earnings thresholds alone are not fit for purpose as a proxy for the level of skill and specialisation necessary to undertake research and teaching roles in universities.**

3.9 The proposals being considered to raise minimum salary thresholds, in particular to raise the new entrant threshold from the 10<sup>th</sup> to the 25<sup>th</sup> percentile, could effectively bar international students from access to Tier 2. As new graduates, international students

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<sup>10</sup> For example, the ability to recruit project engineers is critical to the success of Warwick Manufacturing Group (WMG). WMG is currently building a £150m National Automotive Innovation Centre and has various other high profile, high value research programmes which rely on being able to appoint skilled and experienced project engineers, who are in short supply within the settled workforce.

are likely to be paid towards the lower end of the spectrum in their chosen profession, and may therefore be 'priced out' of Tier 2.<sup>11</sup>

- 3.10 The international education market is very sensitive to changes in visa systems and international students in the UK are already concerned about the difficulty of securing work experience following graduation as a result of the restrictions on access to Tier 2, and in particular the basic salary requirement.<sup>12</sup>
- 3.11 **Separate arrangements may need to be made for Tier 4 graduates within any altered Tier 2 route to avoid any negative impacts on the UK's competitiveness in international education.**

*Proposals on the shortage occupation list and Resident Labour Market Test (RLMT)*

- 3.12 We understand that alongside proposals around increasing minimum salary thresholds, the MAC is considering other options to reduce the number of skilled migrants coming into the UK, including through the introduction of an expanded shortage occupation list and the removal of the Resident Labour Market Test (RLMT) route.
- 3.13 In providing advice in this area, it will be important for the MAC to emphasise the need for any redesigned system to be flexible and responsive to the changing needs of the economy in relation to highly skilled jobs. In particular, the rapid pace at which scientific knowledge and discovery progresses means that the system needs to be agile enough to enable universities to respond to emerging research requirements and funding opportunities. By the time action is taken to address skills gaps, it is often too late as it takes a long time to build strength in key discipline areas.
- 3.14 The RLMT exists to demonstrate that a suitable domestic or EU candidate cannot be appointed to a role. Given the level of skill and qualification required (NQF8) and the unique and scarce nature of expertise in particular research areas, PhD level positions should automatically be included in any new expanded shortage occupation list and classed as 'highly specialised expert' roles. Alongside the prioritisation of PhD level roles within the Tier 2 cap, the ability to appoint to PhD level roles based on merit is important as it recognises that such positions are high value and economically important. This ability should be maintained in future.
- 3.15 The exemption to the RLMT for international students provides them with a further incentive to study in the UK as there is the option to switch in-country to Tier 2 following the completion of studies. International PhD students in particular provide a pipeline of research talent for universities, moving into early career research roles

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<sup>11</sup> HESA data shows that graduates of UK universities earn an average of £21,133 six months after graduation, so any substantial increase in either the general minimum salary threshold or the occupational thresholds will have a disproportionate impact on students switching from Tier 4 to Tier 2. Source: DLHE 2013-14.

<sup>12</sup> Since 2011, the number of international students switching from Tier 4 into work routes has declined by over 80 per cent. An APPG for Migration inquiry found that students already have significant difficulties in finding employment in the UK after the completion of their studies, often as a result of the basic entrant salary requirement for Tier 2.

following on from their studies (where they are the most suitable individual for the role), and continuing to contribute to the UK's economy.<sup>13</sup>

- 3.16 **Should the Tier 2 route be reformed so that an expanded shortage occupation list becomes the only means through which migrants can be recruited to the route, PhD level research and teaching positions in universities should be added to the list on a permanent basis. This would ensure that universities can continue to attract and retain the best talent from anywhere in the world and enable them to maintain their globally competitive position in research and education.**
- 3.17 **As noted above, separate arrangements may be needed for international students in order avoid changes to Tier 2 having a detrimental impact on the ability of universities to attract talented international students.**
- 3.18 No maximum duration should be set for particular roles to remain on the shortage occupation list. An evidence-based assessment of whether shortage occupation status is still required should be undertaken before any occupation is removed from the list. Introducing a sunset clause mechanism would not reflect the need for sponsors including universities to recruit to roles which are essential to drive economic growth and productivity. This will be particularly important if the RLMT test is removed in future and all recruitment through Tier 2 is done via a new shortage occupation list.
- 3.19 **We would also wish to see international researchers and academics removed from any 'sunset clause' on shortage occupations. Universities will always need to be able to attract the 'best and brightest' talent from around the world, so the risk that the ability to recruit international researchers and academics may be removed will affect the attractiveness of the UK as a destination for research and teaching talent.**

#### **4. Universities already made a considerable contribution to training a highly skilled workforce in the UK and should be exempt from the skills levy**

- 4.1 The MAC has been asked to provide advice on the application of a skills levy to businesses recruiting from outside the EU, the proceeds from which may be used to fund apprenticeships in the UK.
- 4.2 It would be inappropriate for such a levy to be imposed on UK universities for a number of reasons:
- (a) **Universities are different from other businesses.** Their raison d'être and core mission is to create knowledge, to innovate and educate. **Knowledge is not bounded by national borders** and it is essential for universities to be able to attract talented individuals from anywhere in the world. We will always need to attract the best talent. There are some disciplines such as languages, international history, ethnology and international politics where international staff will always be better placed to be experts; but equally, we also need to attract the best scientists and engineers, medical experts and leaders in new technology – so **the perverse**

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<sup>13</sup> At one of our universities nearly 30 per cent of new Tier 2 staff in 2014-15 had switched from Tier 4 and the vast majority were in PhD level roles.

**outcome of the Tier 2 levy is that the more successful we are, the more we will be penalised.**

- (b) Moreover, **we face stiff competition for the very best international talent** and already find it difficult to match what can be offered by the likes of Stanford, MIT and Princeton, for example. The introduction of the Tier 2 levy will mean **universities will lose out on a limited pool of outstanding international academic and research staff** who are vital to maintaining the competitive advantage of our world-class universities.
- (c) The majority of universities' funding for research and teaching is provided by Government through BIS and its agencies, so **the introduction of a levy on universities** to repurpose public funding for higher education to pay for the provision of lower level skills through apprenticeships **would not be an efficient or effective use of public money**, particularly given current budgetary constraints.
- (d) By introducing an additional cost for universities in recruiting international researchers, the cost to universities in conducting research will be increased accordingly, making it **more expensive for Government to fund research and education**, meaning that fewer research projects can be supported. This would have **a detrimental impact on the UK's research performance**, reducing the nation's research productivity and meaning that we would **lose out on the associated benefits in terms of improvements to economic growth**, 'quality of life', society and cultural life in the UK. Such an outcome could also **impact on domestic students and staff at UK universities** as funding for research and education is stretched further.
- (e) Our universities already make **a considerable contribution to training a highly skilled workforce** through the provision of higher education and research training to students in the UK, and so play a critical role in driving forward economic growth and productivity.<sup>14</sup> Applying the levy to universities would ignore the fact that education is core to their mission.
- (f) Russell Group universities also **invest significantly in providing apprenticeships themselves**, both as an employer to upskill their own staff, and as educational institutions helping to train apprentices for the private sector working with a range of organisations from multinationals such as Jaguar Land Rover, Boeing and Rolls-Royce to local authorities and FE colleges.<sup>15</sup>

4.3 Universities are forced to absorb additional costs associated with recruiting through Tier 2 in order to remain competitive internationally: costs per Tier 2 employee can exceed £1,300 for out-of-country applicants and £1,800 for in-country in-person

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<sup>14</sup> In 2013/14, around 580,000 students in total (UG and PG) were studying at the 24 Russell Group universities (an increase of 2% on the previous year, and 25% of the UK total). Source: HESA

<sup>15</sup> For example, the University of Liverpool's apprenticeship scheme has recruited more than 120 young people into posts across the University since 2011. The University has also set up a pre-apprenticeship pilot in collaboration with City of Liverpool College and Liverpool City Council aimed at 16-17 year olds and providing a range of skills development, qualifications and work experience. A number of Russell Group universities also work in collaboration with employers to deliver apprenticeships: the University of Sheffield's Advanced Manufacturing Research Centre (AMRC) - a collaboration with Boeing and Rolls-Royce - offers Advanced Apprenticeships in a range of areas with over 310 apprentices currently in training and funded by over 100 industry sponsors. Similarly, the University of Warwick is also offering over 600 engineering apprenticeships over the next few years working closely with Jaguar Land Rover.

applicants.<sup>16</sup> Universities are also already subject to a costly compliance burden in recruiting international staff including staff costs associated with monitoring and reporting duties, undertaking an RLMT, and fees associated with the Tier 2 licence and its renewal. Universities are not for profit organisations and, given the funding constraints which they are currently subject to, an additional cost in hiring and retaining staff will be difficult to bear. Although no details of how the levy would be applied in practice have been issued, it is clear that the greater the charge, the more of an impact this will have for universities and research.

- 4.4 Our universities already make a very significant investment in the provision of high level skills and the introduction of a levy would simply make this investment less efficient and effective. It is important to remember that the cost of training an individual to PhD level is high and the ability to recruit highly skilled researchers and academics who have been trained overseas is a net gain for the UK.
- 4.5 **Universities are different from other businesses and their raison d'être and core mission is to create knowledge, to innovate and educate. Knowledge is not bounded by national borders and it is essential for universities to be able to attract the most talented individuals in their fields from anywhere in the world. We urge the Government to exempt universities from the Tier 2 levy as it would create a perverse outcome, penalising institutions for their success in attracting the best researchers and academics from a limited international pool. The application of the levy would also ignore the huge investment universities already make in the provision of high-level skills for the UK, including through apprenticeships.**
- 4.6 **As not-for-profit institutions, universities have no room for manoeuvre when additional costs are imposed. Introducing an additional cost to recruiting world-leading researchers and academics through a levy on international recruitment could simply make research more expensive to conduct and reduce the money available for other activities including teaching, knowledge exchange and the development of staff. Such an outcome could limit the UK's ability to develop 'home-grown' talent to a highly skilled level in future and have a negative impact on the nation's international competitiveness in research and education.**

## **5. Restricting the ability of Tier 2 dependants to work could have a negative impact on the competitiveness of the UK in attracting world-leading researchers and academics**

- 5.1 A significant proportion of researchers and academics entering the UK through Tier 2 bring dependants with them including spouses, partners and also children, and the ability to do so is highly valuable to them. One of the most frequently asked questions of universities by international staff during the recruitment and visa process is about the ability to bring dependants and for dependants to work in the UK. An international

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<sup>16</sup> This includes: CoS fee (£199); Tier 2 visa fee (which the university reimburses to the applicant) out-of-country £564 or in-country in-person £1,051; NHS health surcharge x three years (£600 – again, often reimbursed to the applicant as part of relocation costs).

survey has found that the ability of dependants to work is one of the keys to any country's attractiveness for highly skilled international staff.<sup>17</sup>

- 5.2 In many circumstances, an international researcher or academic may not be able to take a post in the UK if their spouse/partner does not have the right to work. An element of uncertainty about whether a Tier 2 dependant will be able to work also introduces another potential barrier for universities to overcome in attracting world-leading researchers and academics to the UK. Such individuals may be concerned about their partner or spouse being refused the right to work once they have committed themselves to the UK, or about the difficulty of coordinating their own employment arrangements with efforts to ensure that their spouse/partner can find an appropriate job in the UK within any revised rules. This would disproportionately affect early-career researchers who would be unlikely to be able to support a family on one income alone.
- 5.3 According to a recent survey of Tier 2 staff<sup>18</sup> at a sample of UK universities and research institutes, restricting dependants' work rights would be a problem for the vast majority of Tier 2 employees. The survey also shows that almost all Tier 2 dependants are qualified to at least degree level and, of those who work, two-thirds are employed in an occupation skilled to at least NQF 6.
- 5.4 The survey data shows that:
- Over 80 per cent of Tier 2 staff at a sample of UK universities and research institutes said that if their spouse or partner did not have the right to work in the UK, it would have had a negative impact on their decision to accept their current post. Of these, over 40 per cent said they would definitely not have accepted their current post if their spouse or partner did not have the right to work.
  - Almost 98 per cent of spouses or partners of Tier 2 staff are skilled to degree level and above (NQF 6+), over 70 per cent have at least a postgraduate qualification (NQF 7+) and a third have a doctoral qualification (NQF 8).
  - Of spouses or partners working in the UK (around 2/3 of respondents), nearly 65 per cent are working in a professional occupation (a role requiring a degree or equivalent qualification, so skilled to at least NQF 6), with an additional 7 per cent holding senior management or director level positions.
  - The majority of respondents stated that the ability for their spouse or partner to work in the UK has had a very positive impact on the following: willingness of the Tier 2 employee to complete the current job or assignment; adjustment and integration with life in the UK; family relationships (with partner, children); health or well-being.
- 5.5 It is also useful to note that many of our universities also employ Tier 2 dependants at their own institutions in a range of roles including highly skilled research and academic

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<sup>17</sup> Permits Foundation, International Survey: Expatriate spouses and partners employment, work permits and international mobility' (2008)

<sup>18</sup> The survey was undertaken by the Permits Foundation in July and August in order to feed into the review of Tier 2, and a number of Russell Group universities participated along with other UK universities and research institutes.

positions at PhD level. Restricting dependants' work rights would remove the ability for dependants to make a positive contribution to our universities and to the UK economy more widely through payment of National Insurance and income tax.

- 5.6 Any restrictions to the rights of Tier 2 dependants to work would create the perception that the UK is not open for business and does not welcome highly talented researchers and academics. Such a message would be at odds with the efforts of our international competitors to attract the best talent from anywhere in the world in order to enrich their own research and education ecosystems. For example:
- (a) A number of our international competitor countries provide dependants of skilled workers with the automatic right to work including: Australia, Canada, New Zealand, The Netherlands, Denmark and Finland. The US and Hong Kong also allow married spouses to work.
  - (b) In Canada, recent immigration policies are designed expressly to help talented international students and other highly skilled migrants to become permanent residents of Canada (for example, through the Canadian Experience Class and Express Entry routes).
  - (c) The Australian immigration system recognises the importance of attracting international talent in order to remain competitive in research and education by exempting academics, researchers and scientists from certain visa regulations, and providing a bespoke visa stream for research. International graduates are also able to stay on and work for substantial periods (between 18 months and four years dependent on visa stream and length of study).
- 5.7 **Any move to introduce restrictions on the ability of Tier 2 dependants to work is likely to make it harder for our universities to recruit international staff and may mean we would lose the best talent to overseas competitors. The provision of work rights for dependants is a fundamental aspect of an attractive offer for universities to recruit and retain highly talented researchers and academics.**

September 2015

## **Annex A – illustrative examples of the economic and social contributions made by international researchers, academics and alumni of Russell Group universities**

- Andre Geim, a Soviet-born Dutch-British physicist, and Konstantin Novoselov, originally from Russia, are leading academics at the University of Manchester having won the Nobel Prize for Physics in 2010 for ground-breaking experiments regarding the two-dimensional material graphene. The discovery of graphene resulted in rapid global uptake of new technologies, with \$200 million of recent commercial investment in graphene production across 210 companies from blue-chips such as IBM and Samsung to start-ups. Over 55 new companies have entered the sector with at least 24 formed since 2008 and the first set of graphene-based products has reached the market with revenues over \$10 million per month.
- Prof Sir Venkatraman Ramakrishnan, an Indian-born Cambridge academic, won the Nobel Prize for Chemistry in 2009 for studies of the structure and function of the ribosome, unlocking valuable knowledge about how information stored in our DNA is transformed into the proteins that make up a living being. Sir Venkatraman ('Venki') is currently working at the Medical Research Council Laboratory of Molecular Biology in Cambridge and will shortly take up the post of President of the Royal Society.
- Professor John O'Keefe, an American-born neuroscientist at University College London, was awarded the Nobel Prize for Physiology or Medicine in 2014 for his contribution towards the discovery of cells which constitute a positioning system in the brain - an 'inner GPS'. This discovery represents a paradigm shift in our understanding of how ensembles of specialised cells work together to execute higher cognitive functions. Professor O'Keefe was elected a fellow of the Royal Society in 1992 and of the UK Academy of Medical Sciences in 1998.
- Dr Roxana Carare, a Romanian national, completed her PhD in experimental neuropathology at the University of Southampton in 2006. Her work on neurodegenerative diseases has won her international recognition and her research demonstrates the ways that metabolic waste products, such as amyloid, are eliminated from the brain along membranes within the walls of capillaries and arteries. Dr Carare now works on manipulating these unique pathways to improve the clearance of these waste products from the ageing brain, with the aim of preventing neurodegenerative diseases such as Alzheimer's. Still at Southampton, Roxana also received a Dementia Research leaders' award from the Alzheimer's Society in 2015.
- Professor Lord Kumar Bhattacharyya, originally from India, studied at University of Birmingham before becoming a lecturer and going on to establish the Warwick Manufacturing Group (WMG) at the University of Warwick in 1980. Working in close collaboration with private sector firms including BAE, Jaguar and Rolls Royce, the WMG has developed into a unique academic institution, providing research, education and knowledge transfer in engineering, manufacturing and technology. Professor Lord Bhattacharyya was appointed a CBE in 1997 and knighted in 2003. In 2004, he was made a life peer and in 2014 he was elected to the Fellowship of The Royal Society for his contribution to engineering research and education.
- Lord Karan Bilimoria, Chairman of the Cobra Beer Partnership, was born in India and graduated in law from the University of Cambridge in 1988. He co-founded Cobra Beer in 1989 which was worth an estimated £54 million in 2014 and dominates the UK's Indian restaurant market. In 2004 Karan was appointed a Commander of the British Empire (CBE) for services to business and entrepreneurship, and in 2006 he

was appointed an Independent Crossbench Peer in the House of Lords and created Baron Bilimoria of Chelsea in the Royal Borough of Kensington and Chelsea.

- Joachim Horn, a Belgian graduate of Imperial College London having completed a Master of Engineering degree in 2013, is now the CEO of SAM Labs, a London-based tech start-up which has received investment from Microsoft Ventures. SAM Labs has raised £125,000 on Kickstarter to develop its products, which provide children, students and adults with a toolbox to learn about coding and to create their own products which can be controlled remotely via 'the internet of things'. Joachim is embarking on another round of funding to expand the business, which works with schools and universities to promote engineering and coding to beginners.
- Following graduation from the University of Warwick with an MSc in Programme and Project Management, Tarek Traboulsi, embarked on a successful career at Rolls-Royce, where he is managing advanced projects to deliver cutting edge technologies that will change the future of aerospace. Tarek, a Syrian citizen, started working for Rolls-Royce in September 2012 and is currently working on the UltraFan™ engine, an innovative new product that will be introduced to the market in 2025 and will offer at least a 25% improvement in fuel burn and emissions. Tarek is one of Rolls-Royce's innovative minds who will ensure that the UK sustains its leading place in the aerospace industry around the world. He is also a Warwick Manufacturing Group (WMG) ambassador and started his own business, an e-commerce website, when he was 18 years old.
- Two senior academics relocated from Australia in 2013 to the Wolfson Wohl Cancer Research Centre at the University of Glasgow to work on accelerating scientific discoveries into patient care for cancer, with a particular focus on genotype guided (personalised) cancer care in Scotland. Professor Andrew Biankin, Regius Chair of Surgery and Director of the Translational Research Centre, and Professor Sean Grimmond, Chair of Medical Genomics, are leading work at Glasgow to develop approaches to apply and test personalised medicine strategies based on genomic sequence data. Professor Biankin and Professor Grimmond and their teams have used genome sequencing technologies to sequence around 400 pancreatic cancers, with the goal of identifying patients with specific mutations that render their tumour potentially sensitive to a particular drug.
- Dr Julia Fan Li, a Canadian citizen, is a Gates Cambridge Scholar and completed a PhD in Technology Management in 2012, which focused on innovative financing solutions for global health. During her time at the University of Cambridge, Julia co-founded the African Innovation Prize, served on the University Council, and initiated and convened the Cambridge Global Health Commercialisation and Funding Roundtable. Following her PhD, Julia was appointed Director of the \$108 million Global Health Investment Fund based in London – a social impact investment fund designed to provide financing to advance the development of drugs, vaccines, diagnostics and other interventions against diseases that disproportionately burden low-income countries.