



Results of the public consultation on proposals for a Migration Advisory Committee

This document provides an analysis of the consultation responses received following the publication, in November 2006, of "A Consultation on Establishing a Migration Advisory Committee". Copies of both these documents are available in electronic format on www.ind.homeoffice.gov.uk

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Results of the public consultation on proposals for a Migration Advisory Committee

Executive Summary

- This report describes the findings from a public consultation on proposals for a Migration Advisory Committee (MAC), which would advise Government on where in the economy migration can fill gaps. The consultation ran from 29 November 2006 to 31 January 2007 and there were 142 responses.
- Responses to the consultation were largely positive, with 89 per cent of respondents expressing support for setting up the MAC. Respondents who provided detailed comments emphasised the importance of the MAC being independent and that the body should inform decisions fairly and transparently.
- Two-thirds of respondents agreed with the proposed name of the new committee.
- Seventy-one per cent of the respondents were supportive of the MAC advising Government on what package of skills and attributes people should have in order to come to the UK in categories leading to settlement, and to bring dependants to the UK. Of those who commented further, a large proportion suggested the advice should benefit the UK economically and should be focused on reducing skills and labour shortages.
- When asked *how* the MAC could best advise Government on when migration was the best way to meet gaps in either skilled or unskilled employment, a large proportion felt that the MAC should consult widely with business leaders, undertake research and have access to up-to-date data on which to base advice.
- When asked whether the MAC *should* advise Government on migration issues regarding skilled employment, 76 per cent felt positively towards the MAC advising on high-skilled employment. However, whilst 69 per cent answered in a positive way with regard to lower-skilled employment, 22 per cent answered more negatively. The negative comments were mainly concerned that there should not be restrictions on lower-skilled migrants from outside the EU accessing the UK labour market.
- When asked should the MAC take into account the economic, fiscal and wider impacts when giving Government advice on where migrants might fill gaps, 76 per cent reacted positively. They commented that it was difficult to take migration out of the wider context of the impact on housing, health, education, etc.
- Eighty-four per cent of the respondents answered positively when asked whether the MAC should provide advice on regional as well as national skills shortages. Half the respondents felt that there could not be a 'one size fits all' answer regarding migration to the UK.
- Over half the respondents felt that industry sectors should be represented on the MAC. To a lesser extent, trades unions, employers, employment agencies and independent subject experts were suggested as possible candidates.
- The great majority of respondents (92 per cent) answered positively when asked whether the MAC should be able to commission research. A large proportion of these felt that research was critical to the work and credibility of the MAC.

The approach used in the consultation and analysis

- Letters and emails were sent to approximately 4,000 key stakeholders to alert them to the consultation process and to encourage them to complete the consultation exercise. In addition, a reminder was sent to increase the response rate.
- Two consultation events were held with stakeholders to encourage the exchange of views on the proposals (please see Appendix C for a summary of the discussion). A press release provided information to the general public about the MAC and urged those with an interest to complete the consultation exercise.
- A quarter of the 142 responses were sent as a free form email or letter. Where possible, these responses have been incorporated into the format of the consultation exercise and have been analysed with the consultation responses.
- The questions asked were open ended and, to aid the analysis, the responses were coded into key themes. The responses were then coded according to whether they were generally positive or generally negative towards the question. Where there was ambiguity i.e. the response was a neutral statement, this was coded as 'other'.
- Quality assurance played an important part in each stage of the analysis. The classification of responses into themes was carried out independently and was cross-checked by others in the team.

The respondents were grouped into the following nine sectors for ease of reporting.

- *Administration* – administration, business and management, computer services, financial services.
- *Education* – education and cultural activities.
- *Law-related* – law-related services.
- *Entertainment* – entertainment, sporting activities.
- *Agriculture* – agriculture, construction, hospitality, security and protective services, utilities.
- *Health* – NHS health, private health, social care services.
- *Government* – Government (local and central).
- *Other* – Trades unions, think tanks, embassies, churches and community groups.
- *Individual*.

With the number of responses received, a full analysis was not possible by sector; however, where possible, differences across sectors have been highlighted.

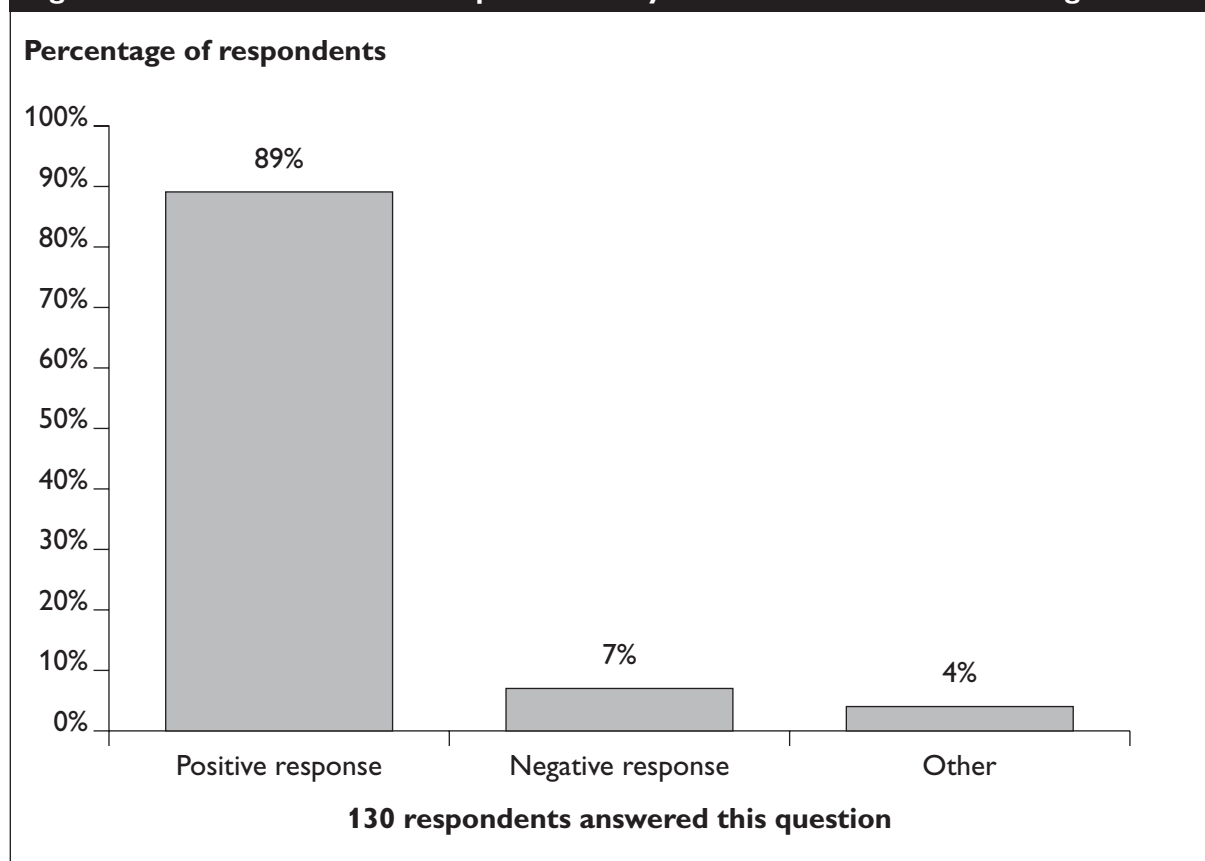
Not all the questions were answered by all respondents; therefore, the number of responses changes from question to question. For each question, any respondents who did not answer that question were discounted when calculating the percentages. Percentages shown in the report may not add up to 100 per cent owing to rounding. Respondents may have made comments pertinent to more than one theme; therefore, the themes are not mutually exclusive.

Please see Appendix A for demographic information on respondents.

Question 1. Do we need a new independent body to advise Government on migration?

Eighty-nine per cent of respondents felt positively towards setting up an independent body to advise on migration (Figure 1).

Figure 1: Do we need a new independent body to advise Government on migration?



There were more detailed comments, besides simple yes/no responses, from 106 respondents. The key themes brought up by respondents are discussed below.

A large proportion of those who commented (45%) emphasised the importance of the committee being *independent*. The sectors most likely to comment within this theme were: 'agriculture', 'education', 'government', 'law-related' and 'other'. The following comment, from a respondent in the 'government' sector, reflects this view.

"The independence of this body will be key to its credibility and as such its independence will need to be reflected in the machinery, personnel, and terms of reference as well as having sufficient resources to operate independently of Government."

A similar proportion of respondents also felt that any new independent body should *inform decisions fairly and transparently*. Again, in terms of sectors, respondents from 'agriculture', 'education', 'government' and 'health' sectors were most inclined to make such a comment.

"In recent years there has been a decline in public confidence with regard to immigration and migration changes in policy. The introduction of a new independent body could help rebuild and maintain confidence in our immigration system. MAC would provide independent advice to Government on how to sensibly fill gaps in the economy and show the public that there is a commitment to consult independently and to work towards continuous improvement." [Respondent from the 'education' sector]

Over a third of respondents mentioned the importance of the new independent body being *representative of business*. In particular, respondents from the 'administration' sector mentioned this theme.

“We believe that business is best placed to identify skills shortages. Therefore an independent body that includes representatives from business and industry groups would provide the Government with accurate and timely information about how migration can address skills shortages.” [Respondent from the ‘administration’ sector]

Almost a third of those who commented highlighted the importance of a *clear remit* and others asked for clarification on the remit as currently described. Over half of the respondents from the ‘government’ sector raised this point.

“The MAC potentially has a very large remit and will need to clarify how or whether its recommendations will deal with small sectoral issues and their differences, and how those issues will be heard and dealt with without excluding others. The MAC must establish very clear terms of reference to define its relationships with other organisations and fora, and also to outline precisely what it will and will not be responsible for.” [Various sectors: collated response]

A smaller proportion of respondents felt that the *Government was already sufficiently informed*, or that *Sector Advisory Panels¹ should continue* to be used. Of these respondents who felt there was enough information already available to the Government, over two-thirds were generally positive about the need for a new independent body, while almost a third indicated that they were less than happy about this body being set up.

“It’s not necessary to fund a new body to advise Government on immigration, since this is already being done effectively and to a high standard by existing organisations.” [Respondent from the ‘law-related’ sector]

Among other respondents who were more negative towards the setting up of the MAC, concerns were about the cost to the taxpayer, the Points-Based System as a whole and the duplication of work already being undertaken by other organisations.

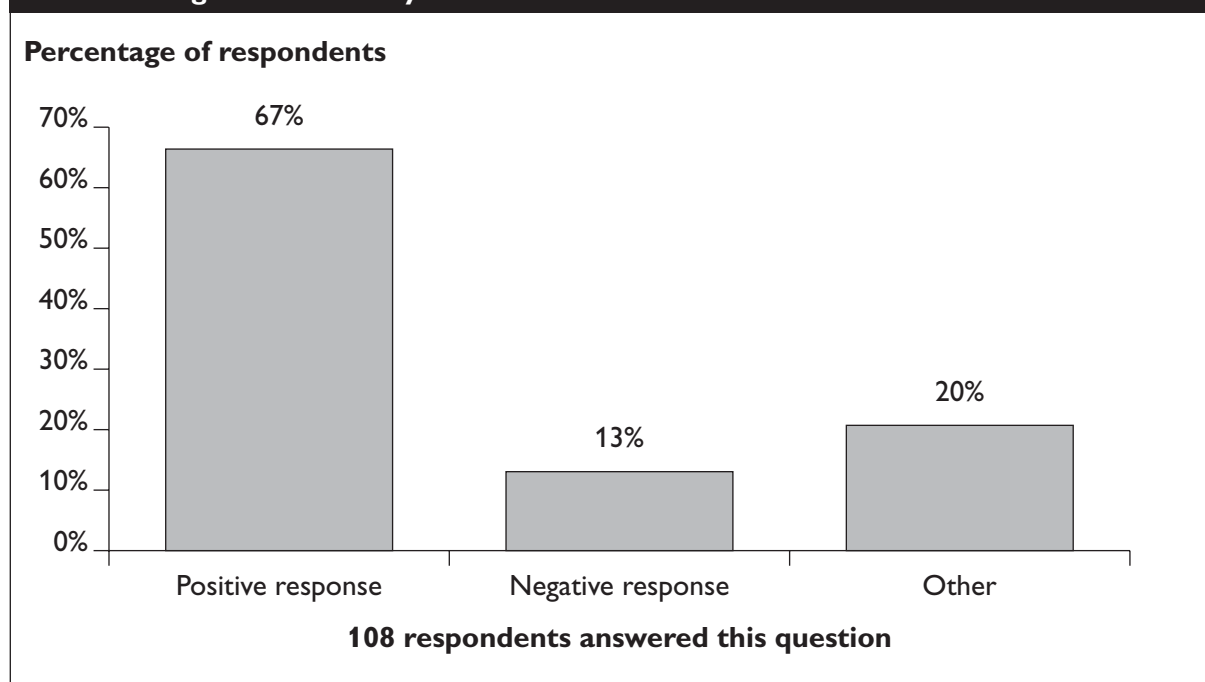
A small number of respondents stated that any new independent body should be *representative of UK society*.

¹ Sector Advisory Panels – include representatives from industry, recruitment agencies, trades unions, intermediaries (such as Sector Skills Councils) and government. They review the labour market conditions in particular sectors, monitor skills shortages and make recommendations on the inclusion or removal of occupations on the skill shortage list.

Question 2. Should the new body (if there is one) be called the Migration Advisory Committee?

Sixty-seven per cent of respondents responded positively towards the suggested name for the committee (see Figure 2). Some of those who were more negative (13%) gave an alternative name. A fifth of respondents made an 'other' comment.

Figure 2: Should the new body (if there is one) be called the Migration Advisory Committee?



Thirty-three respondents elaborated further when giving their opinions on the name of the body. There was little difference between sectors with regard to the responses.

The most commonly recurring comment was that the name 'Migration Advisory Committee' was *clear and to the point*. This was mentioned by a third of respondents.

Of those who felt negatively towards the name, or who made a comment which was neither negative nor positive, many felt that the *name needed to better reflect the role* of the MAC. Over a quarter of respondents raised this point as the following quote illustrates.

"This seems a loose title for a committee with a much tighter brief. The committee will not be advising on the emigration aspect of migration, nor will it be advising on the many non-employment aspects of immigration." [Respondent from the 'law-related' sector]

Almost a quarter of those who made a detailed response, gave *another suggestion* for a name for the new independent body. These suggestions were as follows.

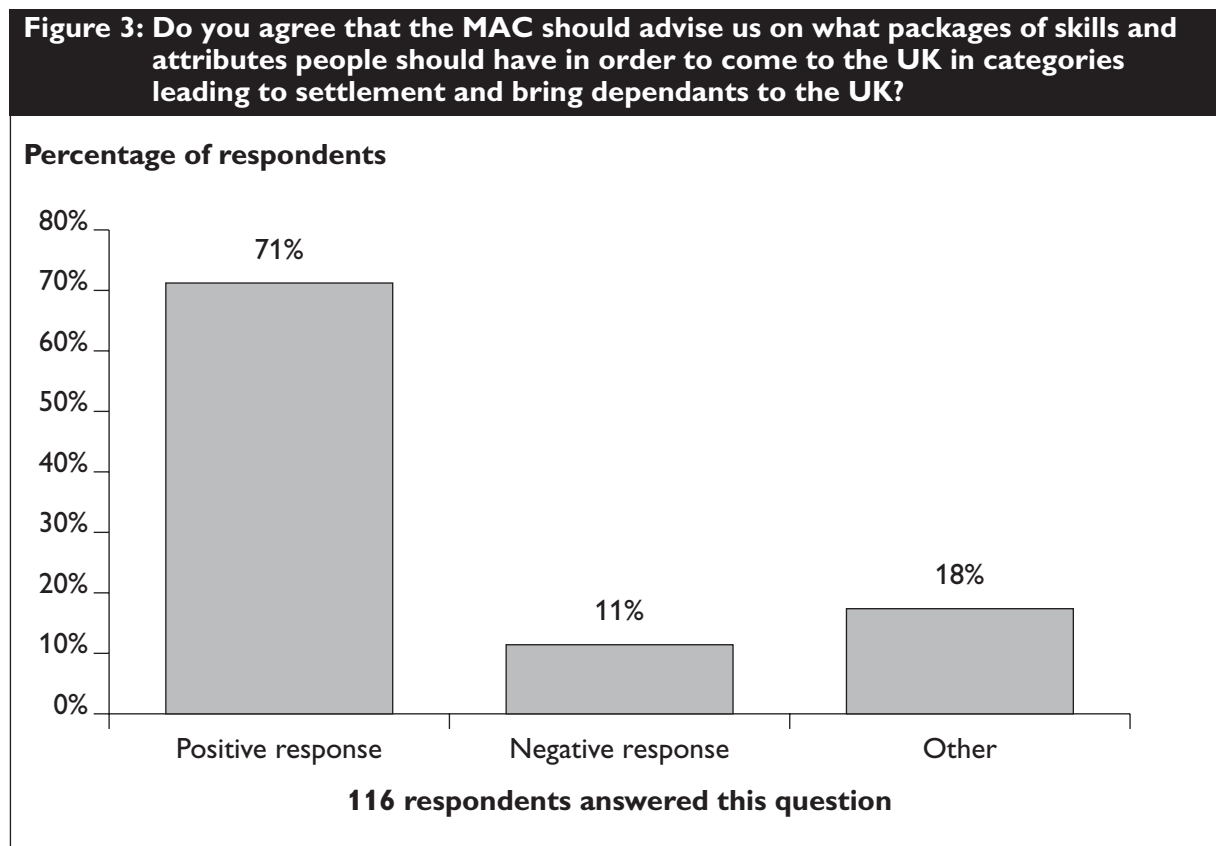
Immigration Advisory Committee
 Immigration Agency
 Immigration Policy Authority
 Independent Migration Advisory Committee
 Managed Migration Advisory Committee
 Managed Migration Agency
 Migrant Workers Skills Advisory Committee
 Migration Advisory Panel

Migration and Skills Advisory Committee
 Overseas Workers Skills Advisory Committee
 Points-Based Skilled Migration
 Population Policy Panel
 Skills Advisory Body
 Skills for Migration Advisory Committee
 The Migration Oversight Committee

A smaller proportion of respondents felt that *it was not the name that was important, but the terms of reference*. Others felt there was a *need for a clear remit before the name of the independent body is decided upon*.

Question 3. Do you agree that the MAC should advise us on what package of skills and attributes people should have in order to come to the UK in categories leading to settlement and to bring dependants to the UK?

The responses to this question were also largely positive. Seventy-one per cent of respondents answered in a positive way (Figure 3).



Seventy-nine respondents gave more than a yes/no response to this question.

Over a quarter of those who commented felt that the advice should be of benefit to the UK economically and should be focused on reducing skills and labour shortages.

A similar proportion provided a generally positive response to this question, with the caveat that the MAC should be representative of UK business and other relevant experts. The following comment was made by a respondent from the 'education' sector.

"Yes, provided they do so from a genuinely informed position. Representatives with up-to-date working knowledge of specialist sectors would be in a position to point out anomalies in requirements that may not be relevant to other sectors."

Whilst not strictly answering the question, a fifth mentioned the importance of the duty of care to migrants, particularly in terms of ensuring they were not disadvantaged.

"We would be concerned on any weighting that would be applied to English language skills and transferability of work experience/skills as this could be seen as discriminatory. English language skills would disadvantage migrant workers from the non-industrialised world." [Respondent from the 'other' sector]

In addition, a few respondents mentioned the need to have clear guidelines to ensure transparency of decision making, that Sector Advisory Panels would be best placed to provide advice to the MAC, and that the regional dimension should not be ignored.

Those who gave a more negative response towards the question were concerned that *settlement was a separate issue* to be dealt with by Government, that it should be a *right for workers to bring their dependants* and to settle in the UK and that the policy was *discriminatory* in allowing settlement for some, but not all, migrants dependent on skill.

Almost a fifth of the respondents did not answer positively or negatively towards the question (see Figure 3 'other'). The issue most frequently raised was *the need for flexibility in the assessment criteria enabling settlement*. In particular, respondents pointed out the need to have an adequate qualification recognition system in place, and questioned what was meant by 'attributes'.

“Does Government know what types of people might fit into these categories? What is a ‘package of skills and attributes’? The Government would, we suggest, need a system to recognise skills and qualifications gained abroad and from outside the EU, which does not exist at present ... [we are] concerned that skills and attributes are reduced to those simplistically identified by unreliable methods. Other skills and attributes which could benefit the UK economy and society are disregarded: community leadership, active citizenship, creative skills.” [Respondent from the 'education' sector]

Question 4. How can the MAC best advise us on when migration is the best way of meeting gaps in skilled employment?²

The most commonly raised theme, in response to this question, was the need for *wide consultation with employers, business, and industry experts*. Approximately 45 per cent of those who commented mentioned the need for consultation. Respondents from the ‘health’, ‘law-related’, ‘administration’ and ‘agriculture’ sectors in particular, gave this view.

“The MAC will need to consist of individuals that are representatives of, and are firmly connected into, industries so that the gaps identified are current and verified.” [Respondent from the ‘administration’ sector]

The next most commonly recurring theme was *that research and access to up-to-date data* was needed so the MAC can best advise on meeting gaps in skilled employment. In total, 28 per cent of those who commented mentioned this theme. Respondents from the ‘education’ sector appeared most concerned about this issue.

“Members of the MAC must also be able to access outside advice when necessary, and must be free to consult widely either through market research or through exposure to or in-depth investigation of the working practice and recruitment patterns of specific sectors.”

Over a quarter of respondents mentioned the *composition of the committee*, in particular the need for it to *include experts from business, training and sectors*.

“It is essential that the make-up of the Committee includes senior and experienced industry representatives, as well as the relevant sector skills councils from sectors where migrant labour plays an important and often very specific role in manpower provision. This will be particularly apposite in terms of those migrants meeting temporary labour shortages at tier 3.” [Respondent from the ‘entertainment’ sector]

Fifteen per cent of comments mentioned the need for the MAC to focus on *other ways of filling skills gaps*, for example, the better use of UK workers.

“I agree that people travelling to the UK in order to work should come when there are jobs available for them and when they have the skills that we need. But any migration policy must not be at the expense of skills training for people already living in the UK and currently held back by lack of skills...” [Respondent from the ‘government’ sector]

Twelve per cent of those who commented mentioned the importance of a *national, regional and community focus* for the MAC in order to best advise Government on skilled migration.

Twelve per cent stated that *Sector Advisory Panels should continue to be used as a source of information*.

“Given the [name of organisation] believes that the Sector Advisory Panels should continue to exist, we consider the proper role of the MAC should be both to provide a wider perspective on migration, and opinions on what is specifically being proposed. This wider perspective should include issues around skills development both for the existing workforce and migrant workers e.g. adequate and accessible ESOL³ provision.” [Respondent from the ‘other’ sector]

In addition, the following themes were mentioned by smaller numbers of respondents.

- The need to consider both long- and short-term prospects for filling skills gaps.
- The importance of the MAC providing guidance for employers.
- The need for the MAC to be influential and to have regular meetings with Government.
- Concern that sending countries are being stripped of their skilled workforce.
- The issue of the possible discrimination in migration policy.

² 119 respondents answered this question.

³ ESOL – English for speakers of other languages.

Question 5. How can the MAC best advise us on when migration is the best way of meeting gaps in lower-skilled employment?⁴

A large minority (20%) of those who did not answer the question felt that it was not relevant to them because their concern was with highly skilled migration. There were a number of themes that respondents were concerned about. These are similar to those mentioned in the previous question.

Over half of the comments suggested that the MAC should *consult widely* and should be representative of businesses. In particular, respondents from the 'administration' and 'agriculture' sectors made these types of comments, although this point was frequently made by respondents from all sectors. The following quotation illustrates this view.

"The MAC should advise Government on the best way of meeting both skilled and unskilled employment needs by using an evidence-based approach and consulting widely, receiving representations from a wide-range of interested bodies." [Respondent from the 'administration' sector]

Almost a third of the comments made reference to the need for robust and *reliable research and statistics* to enable the MAC to advise Government on when migration could fill lower-skilled employment gaps.

"It is vital that policy on migration is evidence-based. Employers would value the MAC issuing independent advice based on the objective assessment of existing data and commissioned research and in particular welcome the MAC agreeing with Government an appropriate methodology for determining designated skills shortage occupations and providing advice on the 'net benefit to the UK as a whole, including the economic, fiscal and wider consequences'." [Respondent from the 'other' sector]

A smaller proportion (18%) felt that the MAC should advise on the *skills needed by the UK* generally, and that migration should be seen as just one solution, with emphasis put on up-skilling the resident (including already present migrant) population and in making certain jobs and sectors more appealing to indigenous workers.

"It should also consider what courses universities, colleges and other institutions are currently running to meet the gaps now and in the near future. It should then be possible for MAC to develop a list of skills shortage areas for use to manage migration." [Respondent from the 'education' sector]

Fourteen per cent of the respondents were concerned that the MAC pay attention to the *impacts of migration on the existing population and migrants within rural communities* and on the services within these areas. Some drew attention to the situation of irregular migrants which may impact on the need for low-skilled workers.

"The [name of organisation] urges the Government to recognise that the arrival of temporary migrants to often rural areas which possess little or no history of diversity, presents particular challenges for integration and good race relations." [Respondent from the 'government' sector]

Twelve per cent of comments centred on the *potential pool of labour from the European Union*, either that this pool would be too limited, or the fact that there was now little need to find workers from outside the EU.

"The potential pool of labour from the A8 countries should make this irrelevant. The Romanian/Bulgarian restrictions will cease after seven years. It is difficult to see any merit in advising on quotas of some tens of thousands when tens of millions are eligible to fill these gaps by right. This Advisory role will be of such limited duration as to be almost irrelevant, given the time that it will take for setting up and experience to make the advice valuable." [Respondent from the 'law-related' sector]

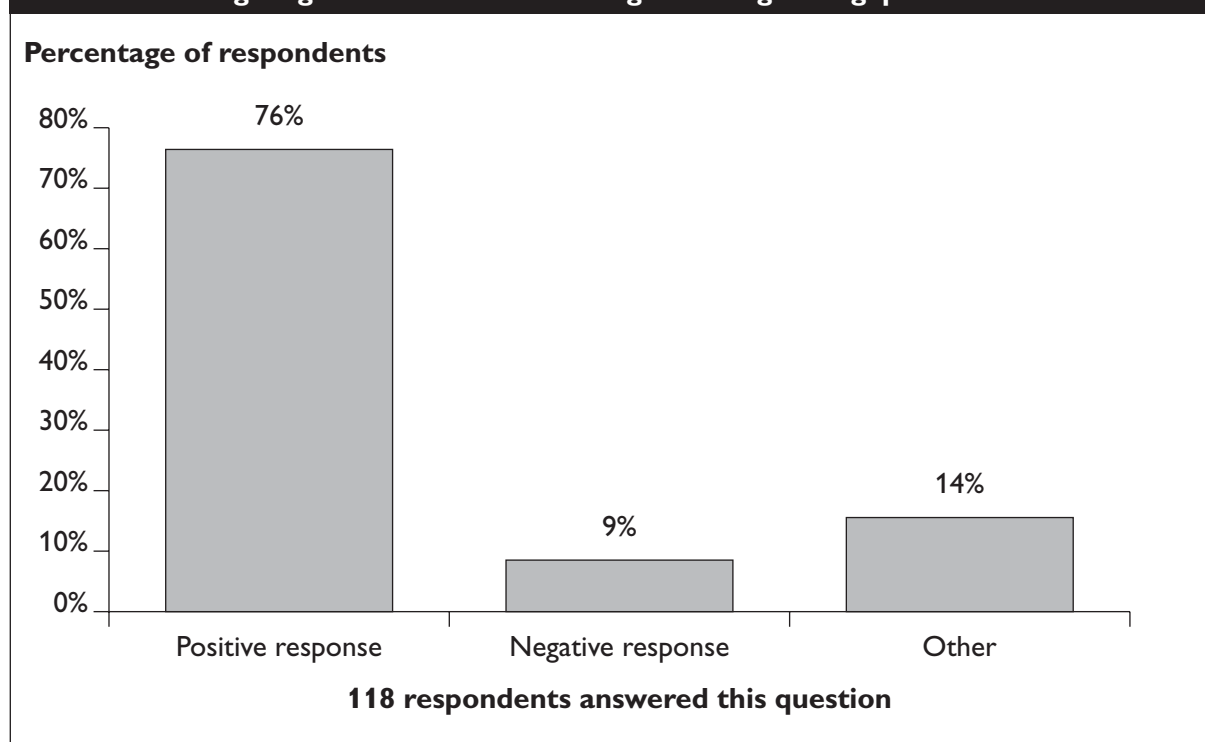
"Once workers from the new accession states gain greater expectations and wages than working in jobs often below their skill levels there could well be the need again for low skilled workers from outside the EEA as well as needs specific to particular culturally sensitive employment." [Respondent from the 'law-related' sector]

There were some comments which, whilst not related to *how* the MAC might advise Government, were concerned with the proposed policy on filling shortages. This was particularly pertinent for respondents from the ‘entertainment’ sector, for whom the issue was not one of skill shortages, but rather the need to invest in exceptional talent (for example, a footballer). In addition, respondents from other sectors mentioned sector-specific issues, such as the requirement for skills not traditionally considered high skilled but, nonetheless, where there are shortages, and the seasonal nature of some work requiring a more flexible approach. These respondents suggested there should be a mechanism to feed these specific types of requirements into the MAC. Fourteen respondents also questioned why a distinction was being made between high and low skill, suggesting that *all* skills are important to the UK economy.

Question 6. Should the MAC take into account the economic, fiscal and wider impacts when giving us advice on where migrants might fill gaps?

A large majority of respondents (76%) reacted positively towards the question posed (Figure 4). Nine per cent provided a more negative response while 14 per cent gave a response that was neither positive nor negative.

Figure 4: Should the MAC take into account the economic, fiscal and wider impacts when giving us advice on where migrants might fill gaps?



Out of the 142 responses, 98 provided further detailed comments.

Forty-four per cent of the comments made reference to the *wider impacts of migration*, such as the impacts on housing, health, education, the environment, etc. The ‘government’ (in particular, at local authority level) and ‘entertainment’ sectors were most likely to make these types of comments. The following quotes illustrate the points made.

“Yes, need to weigh the pros and the cons, i.e. benefit for the economy, but also the costs associated with it in terms of housing, care, education ...”

“At local authority level. It is important that the MAC also takes into account the effect of migration on infrastructure such as education, health and social services. This may be, in some respects, a two way street since migrant labour may help to fill gaps in these areas. However, it is important to understand and acknowledge where public sector services may be stretched especially by migratory labour without right of settlement. This will need a sophisticated model to take into account all the wider impacts of such migration.”

Forty per cent of respondents felt that the context was very important when assessing the need for migration and that *economic, social and fiscal impacts should not be viewed in isolation*. These views were expressed equally across the sectors.

“Yes, this is crucially important, but the MAC’s membership and terms of reference must reflect the need for this work to be seen within the wider social and economic climate, and must be aware of, and informed of, wider social, economic and regeneration strategies that are operating at national and regional levels. The MAC would need to consider key issues affecting migrants (and local communities) such as the availability of housing and other support services.” [Respondent from the ‘government’ sector]

“The ability of the MAC to take a wide ranging perspective on the impact of migration would be one of its key defining characteristics. If the MAC is to gain public confidence it should be seen as a conduit for furthering the common good rather than simply a means of gauging skill or labour shortages. Indeed, public concern about the possible impact of large scale immigration is most commonly expressed in relation to non-labour market matters, in particular the effect on economic and social infrastructure ...” [Respondent from the ‘administration’ sector]

Nineteen per cent of comments were also concerned with the *duty of care* that should be shown towards migrants in terms of their integration and their possible exploitation due to the greater powers given to employers. There was also concern shown for the impact on UK residents and on the sending countries.

“... We recommend that a fully independent committee should be required to look beyond economic and fiscal measures and consider the cultural and social benefits of migration while also focusing on the need to prevent society fracturing into tiers with those at the lower levels being treated as economic commodities rather than people entitled to the full range of human rights that anyone else in the UK would be able to access. By actively promoting and protecting migrants there will not only be a boost for the economy of the UK but also its reputation.” [Respondent within the ‘law-related’ sector]

The negative and neutral ‘other’ responses mainly criticised the *remit* of the MAC for being too broad in taking account of the wider impacts. The sectors that were most likely to feel negatively were the ‘law-related’ and the ‘agriculture’ sectors.

“The MAC’s decision making process must take account of the first 2 [economic and fiscal]. The wider impact deals with more social/political aspects, migrants are here for economic reasons – that is business – the employer benefits, the employee benefits and hopefully society too.” [Respondent within the ‘administration’ sector]

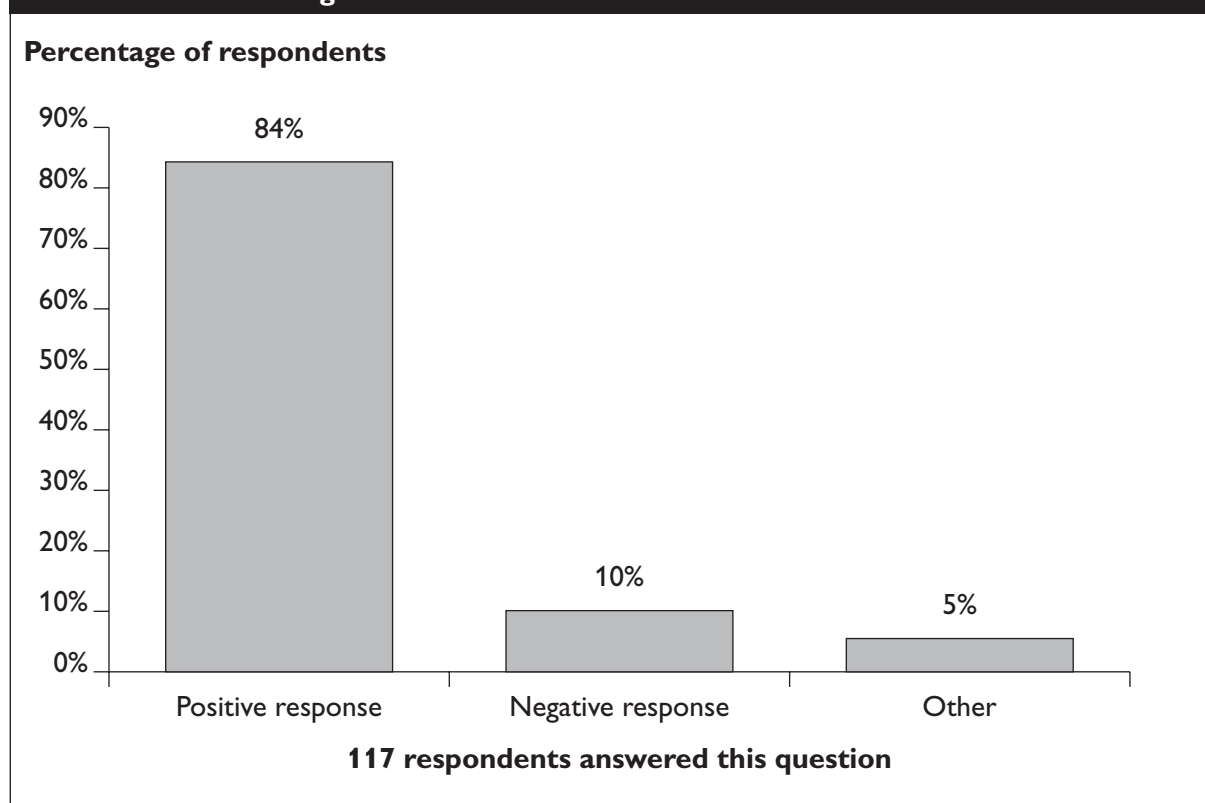
“... Taking into account economic, fiscal and wider impacts requires the balancing of conflicting interests across government departments and UK society as a whole and should not be within the remit of a non-executive, non-statutory body whose remit should be limited to identifying skill gaps and labour shortages and to advise on the feasibility of proposed government policy.” [Respondent within the ‘law-related’ sector]

Other themes, mentioned by a few respondents only, included considering the impact on the sending country, consideration of the environment and how to recognise and accredit ‘good practice’ employers.

Question 7. Should the MAC provide advice on regional as well as national skills shortages?

A large majority of respondents (84%) reacted positively towards the question posed (see Figure 5).

Figure 5: Should the MAC provide advice on regional as well as national skills shortages?



Almost half of the respondents who provided a comment felt that *there could not be a generic answer regarding migration to the UK* and consequently the MAC should provide regional advice to build up an overall picture of the requirement for migration. The respondents from Scotland, Wales and Northern Ireland made this point. In terms of sectors, the ‘law-related’ and the ‘administration’ sectors were most likely to provide this type of comment.

“To provide advice solely on national skills shortages would provide an unbalanced picture. Migration fluctuates with the seasons and sectors, and this has an impact on the different regions. The work of the committee must address the regional skills shortages as it must also consider the effect of migration on local economies and on community cohesion.” [Respondent from the ‘other’ sector]

“Definitely – for example Northern Ireland is the only part of the UK that shares a border with a foreign country that has contrasting tax implications, different migrant worker policy and employment legislation this impacts here on employers.” [Respondent from the ‘administration’ sector]

A quarter of the respondents who commented argued either that *a regional focus should be the priority* or that the *MAC should be focused on the national picture only*. There was an even split between the two schools of thought. It tended to be the ‘education’, ‘health’ and ‘entertainment’ sectors that wanted more of a national focus for the MAC. The comment below illustrates this point.

“Labour markets in higher skilled occupations tend generally not to be local or regional. IT Professionals are relatively mobile, and, given that even national level data is often inadequate, it would not be desirable to attempt to assess market conditions on a regional basis without even greater investment in regular primary research than would be required at the national level ...” [Respondent from the ‘education’ sector]

By comparison, another respondent felt that the focus, at least initially, should be on the regional level.

“Initially MAC members should only provide advice on regional skills shortages. Once the system is functioning smoothly and its reputation, accuracy and transparency grow, perhaps it can then go national.”
[Respondent from the ‘government’ sector]

Those respondents who were more negative towards the proposal that the MAC should provide advice on regional as well as national shortages, gave the following reasons: internal migration of migrants resident in the UK should be sufficient to fill vacancies; the resident population would be disadvantaged; and it could overly complicate the MAC’s remit.

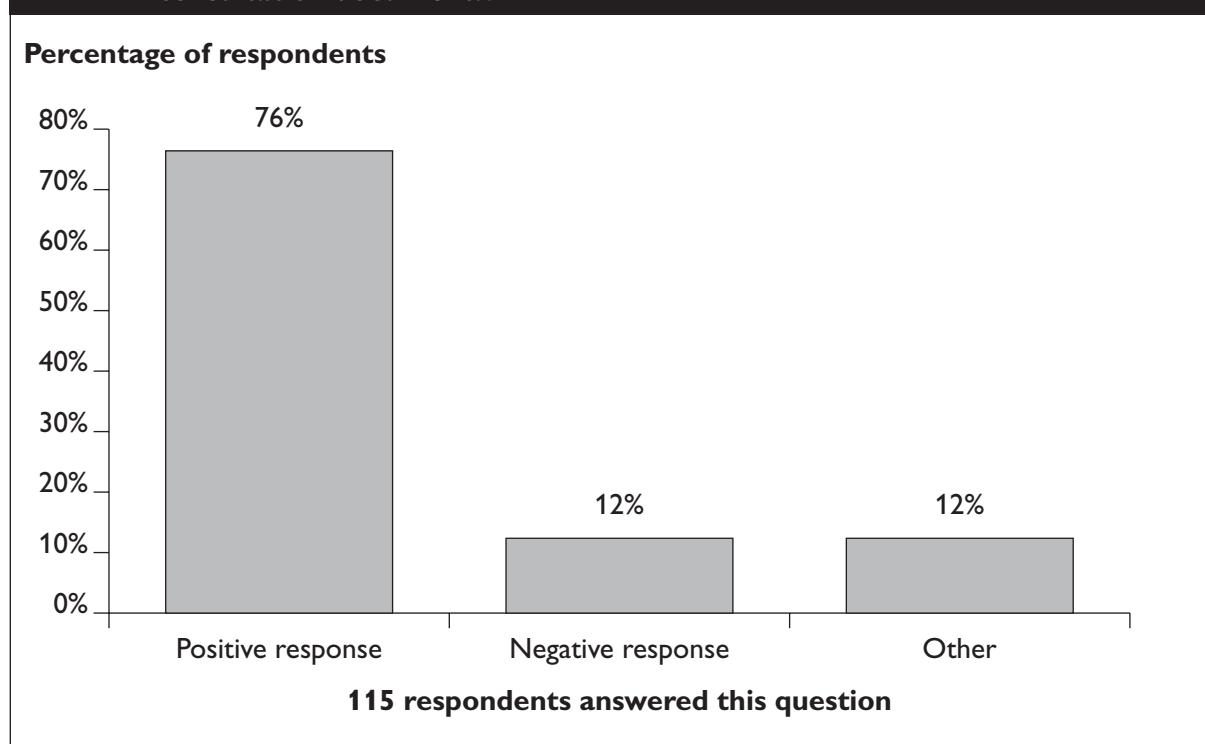
A smaller number of respondents also commented that a regional focus may help to *attract migrants to rural areas and away from ‘overcrowded’ urban areas* (in particular, London was mentioned).

“Absolutely – this is the key area where a difference can be made. There are significant differences in employment regionally in respect of attracting skilled workers. E.g. an employer in London may have less difficulty in attracting a prospective employee because of the London effect than say an employer in Torquay. Regional differences in wages, cost of living, etc., need to be taken into account. (NB this comment is in terms of attracting a new employee to relocate regardless of whether they are a migrant or not).” [Respondent from the ‘agriculture’ sector]

Question 8. Should the MAC advise Government in relation to migration for skilled employment as set out in paragraphs 2.6 – 2.11 of the consultation document?

Seventy-six per cent of respondents gave a positive response to this question. In contrast however, 12 per cent gave a negative response (see Figure 6).

Figure 6: Should the MAC advise Government in relation to migration for skilled employment as set out in paragraphs 2.6 – 2.11 of the consultation document??



Seventy-one of the 142 respondents commented further on question eight.

The most commonly mentioned theme was that *experts should advise on what skills the UK needs and on whether migration should be used to fill skills gaps*. Over 40 per cent of those who commented raised this point. Almost half of the respondents from the ‘administration’ sector mentioned this theme.

“It is necessary to be an expert in a certain sector in order to give useful advice about occupations and careers in that industry. Specific information is therefore best dealt with by expert committees. The MAC can ensure that decision making is consistent and that the wider labour market impact is considered.”
[Respondent from the ‘administration’ sector]

Over a third made reference to the *remit of the MAC* including suggestions that it be *labour market led*. In particular, the ‘administration’ sector group made this point. Over half of those who made this point responded positively to the question.

“...MAC’s advice should include the identification of those skills gaps and labour shortages that may need to be met by migrants. The MAC should have “reach” within the organisations its members represent and, through their networks, beyond them, enabling it to identify most shortage areas. [The organisation] envisages that the MAC will have additional resources to research specialist areas. It will, therefore, be well placed to advise on proposed positioning of thresholds between tiers and points allocation within them as envisaged in 2.10 ...” [Respondent from the ‘law-related’ sector]

A small proportion (15%) of those who commented on the remit of the MAC, were more negative in their responses to this question.

“No. The remit should be wider. The proposals are far too narrow and restrictive. They should be more flexible.” [Respondent from the ‘administration’ sector]

As mentioned in question 5, the 'entertainment' and 'health' sectors felt they faced different issues compared to 'typical' employers. One respondent commented:

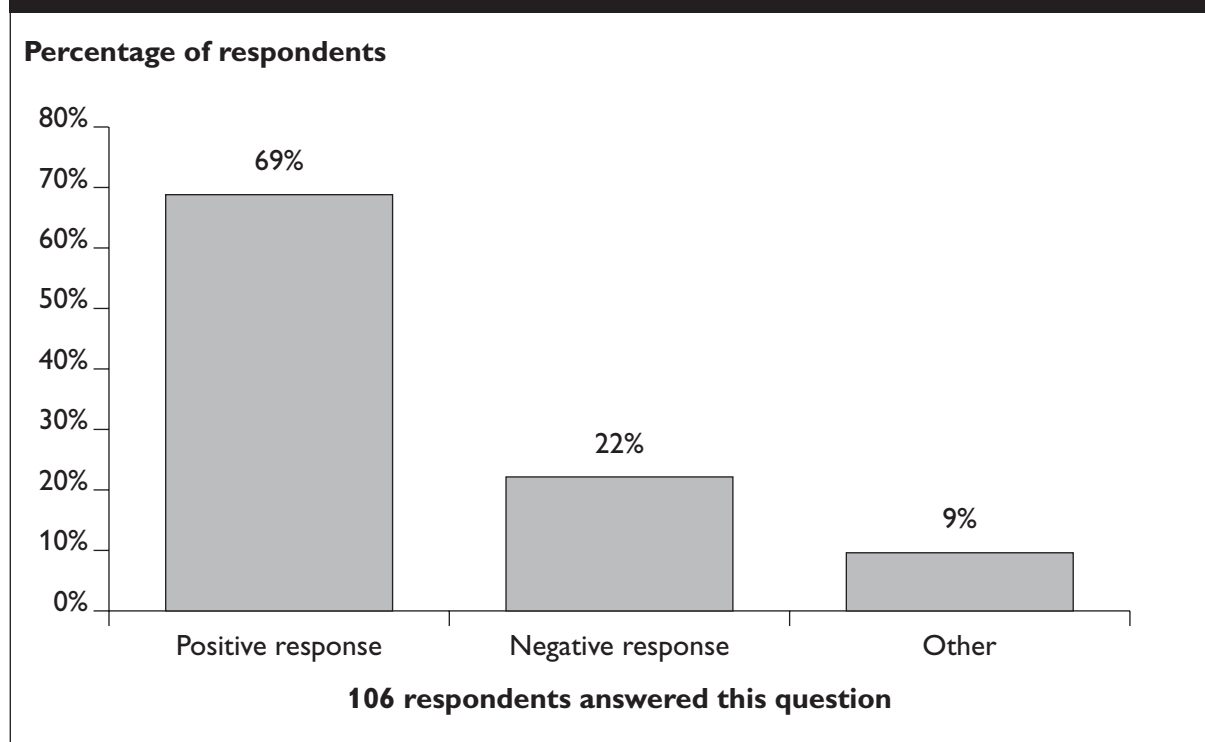
“Professional football should stand outside the occupations to be considered by MAC because the considerations applicable to it are wholly different from those applicable to ‘mainstream’ occupations. The aim of the criteria applicable to professional football should not be to fill skills shortages, but to allow uniquely gifted footballers to contribute to professional leagues in this country.” [Respondent from the 'entertainment' sector]

There were other themes mentioned by smaller numbers of respondents. These included: the issue of up-skilling the UK workforce; considering the wider impacts of migration such as regional impacts; and the need for the MAC to have access to accurate information on which to base its advice. Also mentioned was the importance of the market being flexible to respond quickly to industry changes. Others felt the MAC should advise on all of the tiers of the Points-Based System. The impact of possible discrimination was also once again mentioned by several respondents as an issue that the MAC should be aware of when giving advice.

Question 9. Should the MAC advise Government on migration issues in respect of lower-skilled employment as set out in paragraph 2.12 of the consultation document?

This question, whilst still positive overall, had a more mixed response. Sixty-nine per cent of respondents were in favour of the MAC advising Government on lower-skilled migration. However, 22 per cent gave a more negative response. A positive response was most frequently given by the ‘administration’, ‘agriculture’ and ‘law-related’ sectors (see Figure 7).

Figure 7: Should the MAC advise Government on migration issues in respect of lower-skilled employment as set out in paragraph 2.12 of the consultation document?



Seventy-five respondents provided further comments in responding to this question.

Of those respondents who answered this question negatively, the majority expressed concern that lower-skilled migrants outside the EU would be restricted from accessing the UK labour market. Twenty-eight respondents made this comment. Their concerns included the possibility that: workers from the EU would be unable to meet the demand for shortages in lower-skilled employment; employers should be able to recruit the best worker for the job regardless of their nationality; and some low-skilled work may require particular experience and skills not held by nationals from the EU, e.g. within the catering trade. These comments were predominately made by the ‘agriculture’ and ‘law-related’ sectors.

“We feel that the MAC should have a wider remit as suggested above and should be able to look at filling shortages from outside both Bulgaria and Romania and the EEA for particular sectors especially where workers are required for tasks that need cultural, religious and linguistic sensitivity.” [Respondent from the ‘law-related’ sector]

A small number of respondents (three) suggested that the potential restrictions imposed on lower-skilled migrants were discriminatory.

“It is our belief that restricting the access to lower-skilled jobs to applicants from Romania and Bulgaria only is discriminatory ... the MAC should have the ability to examine all aspects of the migration of unskilled workers ... into the UK irrespective of their country of origin.” [Respondent from the ‘law-related’ sector]

A third of respondents felt that the MAC should provide advice on all tiers, regardless of level of skill, as this would assist with Government’s overall planning on skill shortages. These respondents were generally positive in their response to the question.

“MAC should advise the Government on all areas of Migration and at all Tiers. If not there will be gaps in its work and advice and the validity of its terms of reports and conclusions would be called into question.” [Respondent from the ‘education’ sector]

However, there were more negative views expressed within this theme.

“We do not understand the preoccupation with skill or high or low skill when surely the need to fill anticipated gaps should be based on whether the labour is essential and needed.” [Respondents from the ‘law-related’ sector]

Seventeen per cent of respondents considered that the MAC would ensure *better regulation of lower-skilled workers*.

“Policy must address this to divert the irregular into legal channels that can be monitored and regulated.” [Respondent from the ‘education’ sector]

Several respondents, who were not supportive of the MAC advising on migration for lower-skilled employment, felt that *workers should be sought from the UK workforce*. Other respondents, who answered more positively, thought the MAC should be aware of other initiatives to fill gaps from within the UK workforce.

“Migration policy must not be at the expense of skills training for people already living in the UK and currently held back by lack of skills.” [Respondent from the ‘government’ sector]

Other comments included *the need for vacancies in lower-skilled work to be monitored* so that businesses are not disadvantaged by the restrictions and that there should be *consideration of how the UK is missing out on the cultural benefits* gained from recruiting workers outside the EU.

Question 10. What kinds of people should be represented on the MAC?⁵

Respondents were asked to make suggestions as to the types of people they thought should be represented on the MAC. The suggestions (and the percentages of respondents proposing the inclusion of each type of stakeholder) were as follows.

- Representatives from industry sectors (and from the existing Sector Advisory Panels and Sector Skills Councils), including the education sector (54%).
- Trades Unions (33%).
- Employers from private and public sectors, small, medium and large enterprises and employment/recruitment agencies (32%).
- Independent subject experts. Specifically, economists and employment experts. Other suggestions were for experts in migration and social issues (31%).
- Representatives from communities including black and minority ethnic groups and faith groups (26%).
- Immigration experts (21%).
- Professional bodies, such as the British Medical Association or The Institution of Civil Engineers (17%).

Other stakeholders, mentioned by less than ten per cent of the respondents, included representatives from: Government departments; local authorities; academics; the Commission for Equality and Human Rights and members of the public (both migrants and unemployed citizens).

The following quotes illustrate the types of responses to this question.

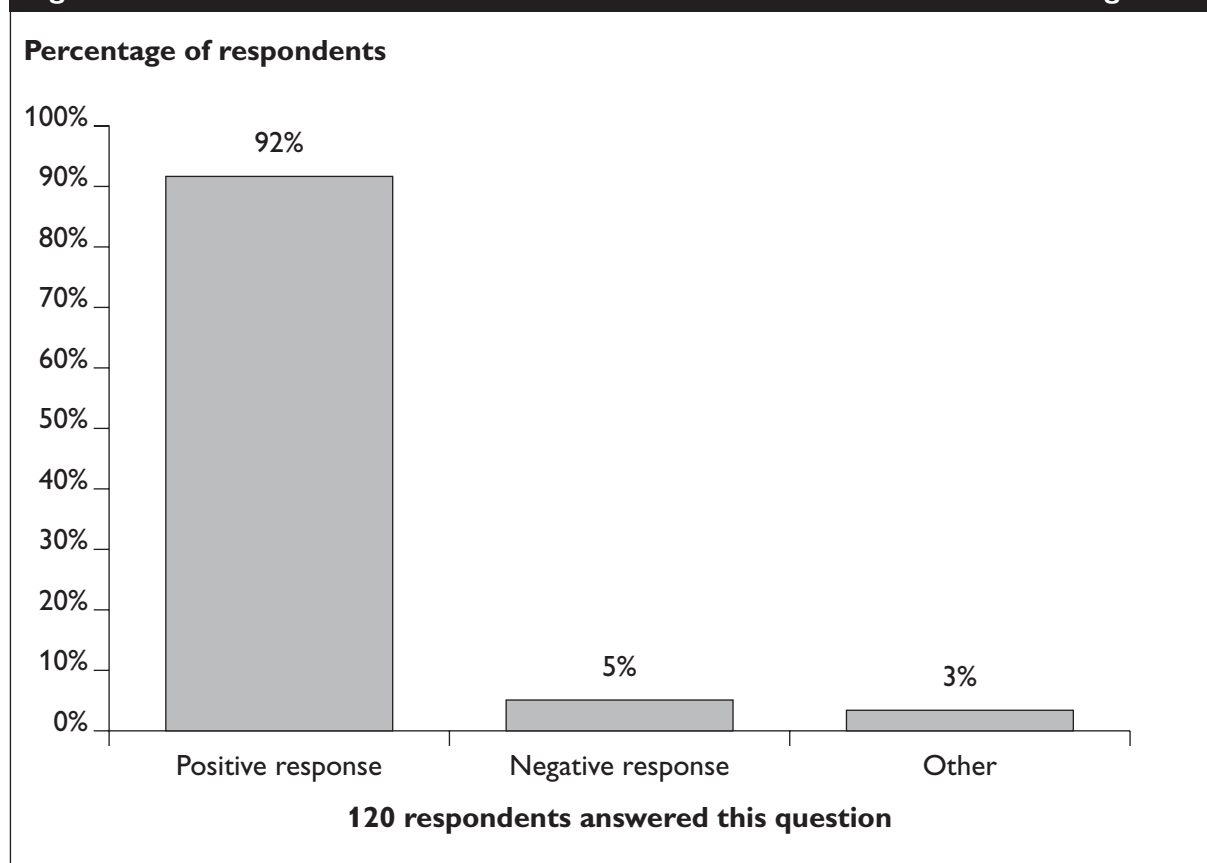
“The MAC should include representatives of private and public sector employers (large and small) who employ both UK and migrant labour, and of trades unions and those who are unemployed but willing to work. It should also include independent experts on migration, employment, economics and the environment, including statisticians and policy formulators; and experts in migration law and policy at both EU and UK level. It should include representatives of the settled and migrant community and be diverse in other respects.” [Respondent from the ‘other’ sector]

“[The organisation] recommends that the MAC include representation from local government, business, academia, voluntary sector (e.g. homeless charities), Regional Development Agencies, Trades Unions and employment agencies. Ideally, members should represent national bodies in order to give a UK/Scottish/Welsh perspective and not bias the work of the Committee towards a particular region or locality. However, the committee must be able to develop effective and reliable mechanisms to gather information at a regional and sub-regional level. In addition, the MAC ought to have representation from migrant communities. However, extra efforts will be necessary to ensure this presence due to the transient nature of economic migrants.” [Respondent from the ‘government’ sector]

Question 11. Should the MAC be able to commission research, within a limited budget?

Responses to this question were generally positive. The majority of responses (92%) agreed that the MAC should be able to commission research.

Figure 8: Should the MAC be able to commission research within a limited budget?



Ninety-four respondents provided detailed comments.

Almost half of those who commented on this question (46%) felt that *research was critical to the work of the MAC*, which would not be seen to have a credible role in advising Government if it was unable to commission research. This was mentioned by respondents from all sectors.

“It is important for the new MAC to gain credibility and establish itself as an authoritative and objective group on immigration. It therefore needs to publish evidence-based research and co-ordinate existing data sources on the labour market, labour supply, and skills requirements at all levels and in all sectors.” [Respondent from the ‘government’ sector]

It was mentioned by more than a third of respondents who commented, that *commissioned research should have a tightly focused rationale and specific remit*. This response was common within the ‘administration’ and ‘government’ sectors. There were a number of areas cited as important for the research to focus on, these included forecasting; regional variations in skill shortages; and specific sectors with skill/labour shortages.

“It would be useful for the MAC to commission research on skills shortages in areas which are not adequately covered by the skills councils. It would also be helpful for there to be central research on local initiatives aimed at migrant workers. This would help to co-ordinate future work in this area.” [Respondent from the ‘administration’ sector]

Comments were made on the budget for the research by 17 respondents, six of whom reiterated the need for the budget to be limited, while the remaining 11 felt that *research requirements should not be constrained by the budget*.

Almost a quarter of the respondents said that *existing research should be used by the MAC* to avoid duplication. This included both those who felt that no new research should be commissioned and those who considered that both new *and* existing research should be used.

“It would be crucial to ensure that research of this type was complementary to (and did not duplicate) more established data.” [Respondent from the ‘health’ sector]

Other comments included: the *need for the MAC to comprise of individual members with expertise to understand research*; concerns that the research needs to be *timely and accurate* in order to make a useful contribution; the need for research to be *independent* and published; and a suggestion for the inclusion of *Sector Panels for conducting and validating research*.

“The research that the MAC commissions should be publicly available, as should other research upon which it makes recommendations. Publishing research will provide transparency and contribute to a crucial perception of independence.” [Collated response from Employability Forum MAC event].

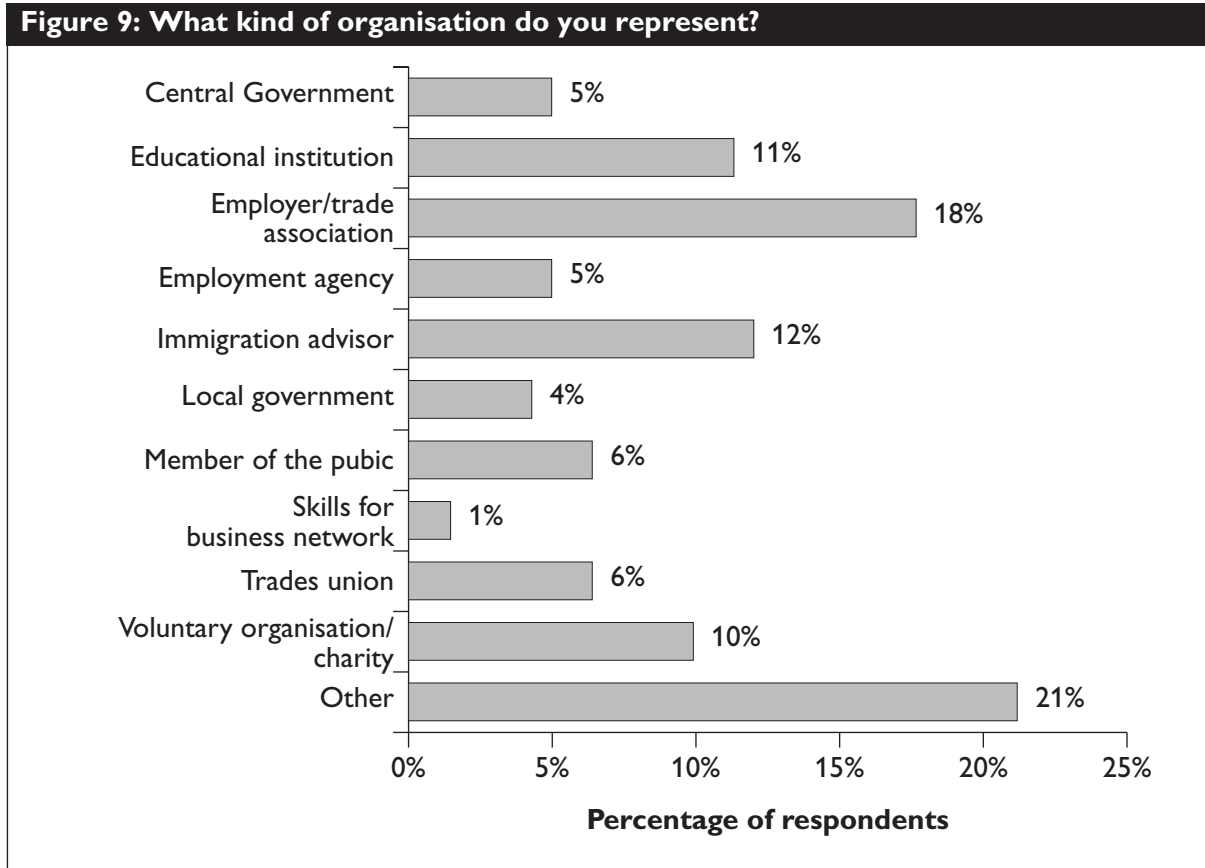
Conclusion

Overall the responses to the public consultation on the MAC were positive. Eighty-nine per cent felt there should be an independent body set up to advise Government on where in the economy migration can fill skills gaps. Two-thirds of respondents were supportive of the proposed name of the new committee. Respondents were more receptive to the MAC advising on when migration could meet gaps in skilled employment (76 per cent) but relatively less supportive of the MAC advising on migration for lower-skilled employment (69 per cent gave a positive response with 22 per cent giving a more negative response to this question). The relative lack of support was due in part to concerns that workers from the EU would not always be able to meet the shortage demand in lower-skilled employment. The respondents emphasised the need for the MAC to consult widely with business leaders, to undertake research and have access to the most up-to-date data to be able to provide accurate advice to Government. In addition, a large proportion (76 per cent) felt the MAC should take into account not only the economic and fiscal but also the wider impacts of migration and 84 per cent answered positively towards the MAC focusing not only on the national picture of skills shortages, but the regional too, when giving advice on where migrants might fill gaps. The respondents commented that, to be credible, careful consideration should be given to who should sit on the MAC. Over half of the respondents felt that representatives from industry sectors should be on the committee.

Ministers have considered carefully these views from stakeholders when taking decisions on how to take forward proposals for the MAC and we are very grateful to those who responded for their time in providing thorough and thought provoking comments.

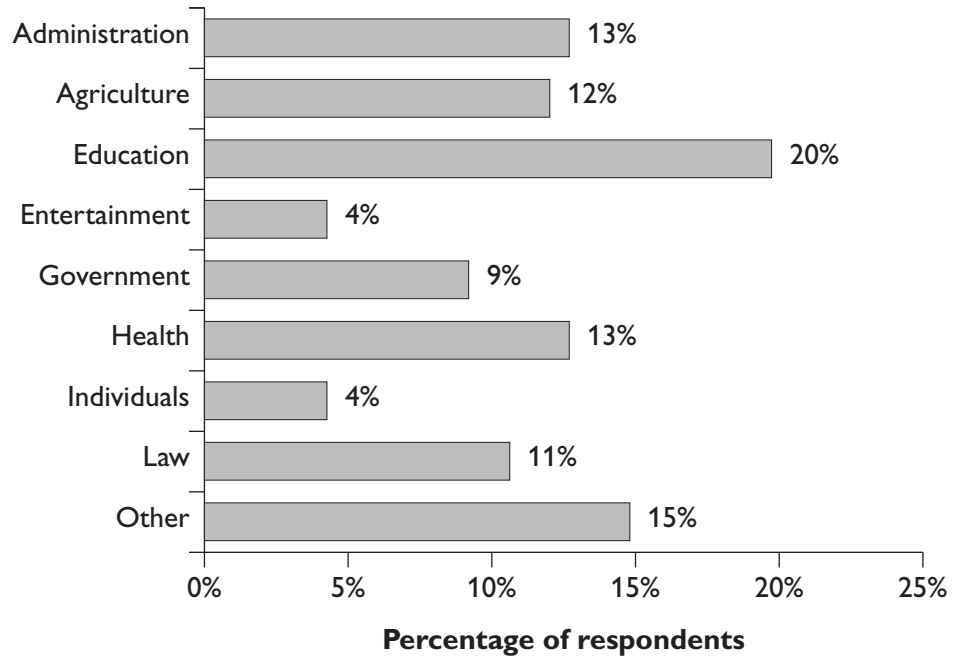
Appendix A

Demographic details of the respondents



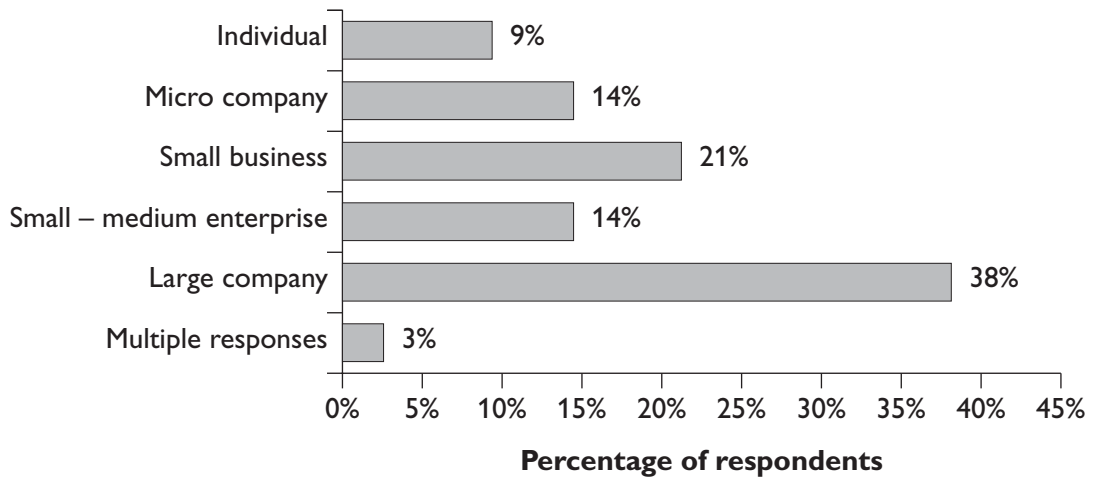
Employment/trade association organisations were the largest group to respond to the consultation (18%), followed by immigration advisers/law practitioners (12%), educational institutions (11%) and voluntary organisations/charities (10%).

Figure 10: What industrial sector best describes your organisation?



In terms of sectors, the 'education' sector had the largest number of respondents (20%). The 'administration' and 'health' sectors were each represented by 13 per cent of the respondents. Twelve per cent of respondents were from the 'agriculture' sector and 11 per cent were from the 'law-related' sector.

Figure 11: What is the size of your organisation?



Thirty-eight per cent of respondents indicated that the organisation they represented was a large company (over 250 employees), 21 per cent described their organisation as a small business (10 to 49 employees), 14 per cent described their organisation as a small-medium enterprise (50 to 249 employees) and 14 per cent described it as a micro company (1 to 9 employees). Nine per cent indicated that they were responding as an individual.

Appendix B

Respondents by organisation

In addition to the following list there were nine members of the public and nine anonymous responses.

50 Club Horticultural Employers' Association
 Abbott Healthcare plc
 Advisory Board on Naturalisation and Integration
 AgriVenture UK
 Association for Consultancy and Engineering
 Association of British Language Schools
 Association of Camphill Communities in the UK
 Association of Chief Police Officers in Scotland
 Association of Colleges
 Bangladesh Caterers Association, UK Ltd
 Bison Management UK
 Boston College of London
 British Chambers of Commerce
 British Computer Society
 British Council
 British Hospitality Association
 British Institute of Technology & Education
 British Medical Association
 British record industry's trade association
 British Sikh Federation
 Broadcasting Entertainment Cinematograph & Theatre Union
 Business in Sport & Leisure Limited
 Central Council of Physical Recreation
 Chartered Institute of Personnel & Development
 Choice Hotels Europe
 Christine Lee & Co (Solicitors) Limited
 City Life Education & Action for Refugees
 Clyde & Co
 College of Central London
 Commission for Racial Equality
 Confederation of British Industry
 Convention of Scottish Local Authorities
 Council of British Pakistanis (Scotland)
 Dearson Winyard International
 Department for Employment and Learning, Northern Ireland
 Emigra Europe, Ltd
 Engineering Council UK
 Ernst & Young LLP (Global Business Immigration Services, Human Capital)
 e-Skills UK
 General Medical Council
 Gherson & Co: UK Immigration Solicitors
 GMB National
 Greycoat Placements Limited
 Halcrow Group Ltd
 High Commission for the People's Republic of Bangladesh
 HOPS Labour Solutions
 Immigration Advisory Service
 Immigration Law Practitioners' Association
 Institute for Public Policy Research
 International Exchange Programs
 Irlanda Employment (Northern Ireland)
 Joint Consultants Committee

Joint Council for the Welfare of Immigrants
Jones Kelleher & Associates Limited
Kent County Council
King's Lynn Area Resettlement Support
Law Centre (Northern Ireland)
Lawlor and Associates Consultants Inc
Learning & Skills Council
Leicester College of Technology Ltd
Li & Co Solicitors Ltd
London Crown College
LVMT Business School
Rt Hon Dr Denis MacShane MP
Fiona Mactaggart MP
The Methodist Church of Great Britain
MigrationWatch UK
Minority Ethnic Employability Support Project
MP for Slough
National Association of Agricultural Contractors
National Association of Schoolmasters Union of Women Teachers
National Association of Software & Service Companies
National Campaign for the Arts
National Care Association
National Consortia Support Team
National Farmers' Union
National Institute of Adult Continuing Education (England & Wales)
NHS Ayrshire & Arran
NHS Education for Scotland
NHS Employers' Organisation
NHS Greater Glasgow & Clyde
North East Strategic Partnership for Asylum & Refugee Support
Norwood (Norwood Ravenswood) – Children & Families First
Office for National Statistics
Optimum Population Trust
Philippine Embassy – London
Professional Contractors Group
Queen Elizabeth Hospital NHS Trust
Ramadhan Foundation
Recruitment & Employment Confederation
Relocation Management Solutions
Royal College of Nursing
Royal College of Physicians of Edinburgh
Runnymede Trust
Scottish Council for Development & Industry
Scottish Executive Health Department
Sector Skills Development Agency
Sheffield Hallam University
St. Georges Overseas Recruitment Limited
Strathmore Care Services
Suffolk County Council
The Childcare Recruitment Company Ltd
The FA Premier League
The Royal Society for the Encouragement of the Arts
Think London
Trades Union Congress
Transport & General Workers Union
Transport & General Workers Union (research department)
TTM Service Company Limited
United Nations High Commissioner for Refugees
Universities Scotland
Universities UK

University of Abertay Dundee
University of Bedfordshire
University of Oxford
Welsh Language Board
West Midlands Strategic Partnership for Asylum & Refugee Support
West Norfolk Diverse Communities Forum
Westminster Business Associates Ltd
Westminster City Council – Chinese Community Office
Westminster College of Computing Wood Group

In addition, an Employability Forum MAC event collated responses from the following.

Academy of Oriental Cuisine
Advisory Board on Naturalisation and Immigration
Association for Consultancy and Engineering
Australian High Commission
Bangladesh Caterers Association
Bindman & Partners
Bovis Lend Lease
Brent LEA
CIPD
Citizen Organising Foundation
City Parochial Foundation
CMS Cameron McKenna
Cogent SSC Ltd
Commission for Racial Equality
Construction Confederation
Consultant and former Vice President BP plc
Department for Trade & Industry (DTI)
Department of Health
Employability Forum
Engineering Council UK
e-Skills UK
Gangmasters Licensing Authority
General Medical Council
General Teaching Council for England
Health Professions Council
Institution of Civil Engineers
Institute of Railway Signal Engineers
Intellect UK (merger of CSSA & FEI)
IT Sector Panel
Kalayaan
London Underground
Maybourne Hotel Group
Migrants Rights Network
National Care Association
National Farmers Union
National Union of Teachers
People 1st
Professional Contractors Group
Railway Industry Association
Ramada Jarvis Hotels Ltd
Recruitment & Employment Confederation
School Workforce Unit, DfES
Scottish Executive Health Department–Workforce Directorate
SummitSkills
Training & Development Agency for Schools
UNISON
Universities UK
Welcome Skills Ltd
Work Permits (UK) Operational Policy Team

Appendix C

Feedback from MAC Consultation Events

The following are the main themes to come out of the consultation events on 17 and 29 January 2007. The first two questions were asked at both events. The remaining questions were asked at one or other of the events. Where possible, the responses have been grouped by theme.

What should be the MAC's top three priorities for 2007/08?

Independence

- Ensure the MAC is, and is seen to be, independent from the Government and the Home Office. The issue of migration needs to be independent from politics.
- Develop a strategy to ensure that all the outcomes of the MAC are clearly communicated to customers.

Remit of the MAC

- There needs to be clear terms of reference for the MAC. The MAC should focus on the issues of economics and skills rather than the wider social issues.

Composition of the MAC

- There needs to be the appointment of a strong, independent and credible chairperson.
- The MAC should be a small committee that communicates and engages with all sectors.

Research and statistics

- The MAC should establish an authoritative voice through robust statistics.
- The MAC should be a key holder of data on migration. A key priority is gathering a solid base of evidence.
- Methodology needs to be consistent and transparent. The MAC should be able to commission and fund new labour market research, especially for sectors where this information is currently limited. It should also synthesise existing data, for example, from ONS, the sector skills councils and other professional bodies.

Day-to-day work of the MAC

- The MAC will need a proper work plan.
- It needs to be business led and media aware.
- Methodology should be developed to obtain accurate labour market data at the required level of detail. The question will be how this can be obtained quickly to react to changing shortages.
- The skills shortage list needs to be continually reviewed: one size will not fit all. It is important that there is flexibility.
- It is important that consideration is given to the short, medium and long term rather than simply the here and now.
- The MAC should examine and assess the implementation of new immigration policy from the Home Office. Are the new policies workable?

What are the three main opportunities and challenges for the MAC?

Opportunities

- To raise points of view, concerns and to make recommendations.
- The MAC will provide a platform for sector representation and all employers.
- It will make the migration system easier to navigate, it can be more proactive and will add transparency.

- It will become a focal point for advice to the Government.
- The MAC could have a wider remit, looking at the quality of life for migrants and the impact on developing countries of recruiting migrants from these countries. It could advise across Government.
- A credible, independent, unbiased MAC would command political respect.
- The MAC could be an ambassador for 'positive' migration which will improve both public confidence and its perception of immigration.
- There is the opportunity to explain the difference between asylum seekers and migrant labour and to get across 'positive' messages of how much the UK relies on migrant labour.

Challenges (asked at both events) and pitfalls to avoid (asked at the 29 January 2007 event)

Research and statistics

- Obtaining accurate labour market research for all sectors.
- Predicting future shortages is challenging, particularly in sectors where demand varies depending on Government policies, e.g. construction and health.
- Must ensure consistency of data and establish credibility of evidence.
- It is important that the MAC is given proper facilities and adequate resources particularly with regard to research.

Using existing networks and information

- There should be an assurance that other networks in existence are utilised fully.
- Ensure that the MAC draws on knowledge/expertise from appropriate stakeholders across all sectors.
- Need to ensure a smooth handover between the existing network and the MAC.
- Existing forms of identifying skills shortages should not be replaced by the MAC. Instead, the MAC should co-ordinate these existing bodies.

Composition of the MAC

- There needs to be consistency in the make-up of the members of the MAC.
- It is important to achieve the right mix of people in the MAC. There must be representatives from small and large businesses, from public and private sectors. An independent chairperson with significant clout will be important to help to ensure this happens.

Independence

- Ensure the MAC is independent from Government/Home Office, and has authority in the eyes of customers.

Work plan

- Need to be able to focus and pull together a very diverse range of people and industries with different needs.
- The MAC should consider short-term shortages as well as long-term ones. Where a long-term shortage is identified, the MAC could advise on the need for additional training/education provision for resident workers.
- The MAC will need clear terms of reference and should not be perceived to be irrelevant.
- The MAC should not have too wide a remit: this would dissipate its advice.

Communication/marketing

- It is important that stakeholders see the system improving from feedback that they provide. This will ensure the MAC has credibility with employers, and represents the views and concerns of all industry sectors, especially small and medium enterprises.

- The MAC must have good communication strategies.
- There should be agreement on how the MAC will communicate with Government.
- There is an inherent danger of ministers ignoring the MAC – especially when the general public's view is negative. There needs to be proper representation in the MAC, whether by ministerial appointment or some kind of election. The MAC needs to be enshrined in legislation.
- Good PR will be vital to ensure that the MAC is well portrayed in the press.

Other comments

- Balance the needs of the UK against the needs of countries in the developing world.
- Need to clarify the position of immigrants' families and those coming other than for employment.
- How can the MAC support local communities after migration? For example, it could address support for the migrant, strain on local services, need for additional infrastructure and teachers of English for speakers of other languages.
- The MAC must be wary of employers using migrant labour simply as a cheap alternative to investing in training for resident workers.
- There is a danger of concentrating on skilled migrants, but unskilled migrants make up a large proportion of migrant workers in this country.
- The definitions of skilled and unskilled migrants need to be clarified.
- As migrant workers become EU citizens, there is a potential for labour from current source countries to dry up, and we may need to look at other countries outside the EU.

What are your key concerns about the establishment of the MAC? (asked at the 29 January 2007 event)

Research

- Data will not be good enough. Need to consider what research is needed and what it will achieve.
- Will there be sufficient resources to identify skills shortages, including funding for research?
- Will the MAC have a large enough research budget to fulfil its aims? How will it collate findings from disparate data sources?

Independence

- How independent will the MAC truly be? Its chairperson and terms of reference are critical if it is to have credibility with ministers and with the public.
- This is just a PR exercise.
- Ensure minutes are published.
- Ensure ministers give reasons for not following its advice.

Existing expertise

- What is the added value of the MAC? Will it give greater consistency across sectors? The expertise from current Sector Panels must not be lost.
- Membership of the MAC
- Appropriate membership.
- The MAC will be too small to have expertise on all industries.

Other

- The remit is too wide.
- Need to look at other countries with a points-based system and how they manage these issues.

- If the MAC considers local shortages and social inclusion on a regional basis, this may be discriminatory (to refuse an application based purely on geographical location). The MAC must consider shortages at a national level. A surplus in one region and a shortage in another is a UK labour market issue that should not be solved through immigration.

How can the MAC make best use of employers' experience and good practice of employing migrant workers? (asked at the 29 January 2007 event)

Sector Panels

- Through contact with appropriate employer organisations. As part of this process it is essential to ensure that the expertise and best practice of the existing Sector Advisory Panels are maintained.
- Build on Sector Skills Councils and Sector Advisory Panels by establishing coverage for other areas missed by Sector Skills Councils and Sector Advisory Panels.

Employers

- Employers will provide the main sources of data to identify skills shortages.
- Employers could provide occupational information on the skill level of jobs, such as a qualification framework.
- The MAC must consider that employers have a vested interest in getting applications approved and maintaining a good sponsor rating.
- Explain clearly to employers what the MAC is about and what is required from them as employers. Also, use employers to champion good practice with other employers.

Others

- The MAC should engage with relevant bodies, including trades unions, to gather best practice.
- The MAC must have solid, wide-reaching communication links with other organisations.
- The MAC should speak to migrant workers about their experiences.
- The MAC should have its own website and refer employers to business links and DTI websites.
- By highlighting the changing nature of employment around the world – it is now a global market.