



House of Commons
Home Affairs Committee

**Immigration policy:
basis for building
consensus: Government
and Office for National
Statistics Responses
to the Committee's
Second Report**

**Fifth Special Report of Session
2017–19**

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Home Affairs Committee

The Home Affairs Committee is appointed by the House of Commons to examine the expenditure, administration, and policy of the Home Office and its associated public bodies.

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Committee staff

The current staff of the Committee are Phil Jones (Second Clerk), Harriet Deane (Committee Specialist), Simon Armitage (Committee Specialist), David Gardner (Senior Committee Assistant), Mandy Sullivan (Committee Assistant) and George Perry (Senior Media and Communications Officer).

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Fifth Special Report

On 15 January 2018 the Home Affairs Committee published its Second Report of Session 2017–19, [Immigration policy: basis for building consensus](#) (HC 500). The Office for National Statistics (ONS) response was received on 16 March 2018 and the Government's response was received on 29 March 2018. The two responses are appended to this report.

In the Responses the Committee's recommendations are shown in **bold** type; the response is shown in plain type.

Appendix 1: Government Response

Conclusion and Recommendation 1

We recommend that the Government makes it a clear and stated objective of public policy to build greater consensus and trust on immigration. The work of British Future shows that there exists considerable appetite for greater public engagement and for this to be the basis for a constructive and open debate. Our findings chime with this view. Our inquiry has concluded that immigration does not have to be a polarising issue. There will of course always be disagreements over the detail of immigration policy, just as there are in other policy areas. However, we believe that broader consensus can and should be found around the underlying principles of the immigration system, but the debate requires care, honesty and the opportunity for the public to be involved. We also believe there must be clearer explanation of the different types of immigration and the policy frameworks that govern them. (Paragraph 9)

The Government is grateful for the Committee's report. The Government agrees that public confidence in the immigration system is important, and that confidence will be based on a well-functioning and well understood system, underpinned by a consensus about policy objectives. The Government has been consistently clear that it intends to control, and reduce, the levels of net migration to the UK, to stamp out abuse of the system and to maintain a secure border. We believe the public strongly supports these goals.

UK immigration policy is similar in its goals and approach to that taken in other countries such as the US, Canada, Australia and the EU Member States. However, the details are important, and complex, and this is where it will be much more challenging to create a clear consensus. Perspectives vary between migrants of different categories, employers and other stakeholders and the resident population at large. They may also vary by region and by sectors of the economy. And policy is also subject to legal obligations, for instance in respect of human rights, refugees and, for now, EU rules.

The Government takes an evidence-based approach through for example its extensive use of the Migration Advisory Committee and of public consultation in shaping policy. We agree that communication of immigration routes and policy is important and we maintain comprehensive guidance on gov.uk. We are in a process of revising and updating the Immigration Rules and guidance.

Immigration policy should be informed by honest and open debate and supported by evidence

Conclusion and Recommendation 2

The Government's existing net migration target set at "the tens of thousands" is not working to build confidence or consent. The continued discrepancy between the target and reality has damaged the public's view of the immigration system because it undermines trust in the state's ability to control migration in the way it intends or to deliver on its plans. Setting a long-term target or aspiration does not solve the challenge of achieving credibility, as people want to see practical steps that can be taken in the short-term. As we set out later in this report, the target should be replaced with a new framework of targets and controls based on evidence. (Paragraph 17)

The net migration target has set a clear direction of travel and has been included in successive manifestos and endorsed by the electorate. Previously, there were no targets. Furthermore, the British people sent a very clear message in the EU referendum: they want more control of immigration and our borders.

People who come to the UK to work bring significant benefits – but there is no consent for uncontrolled immigration. That is why we remain committed to reducing net migration to sustainable levels, in the tens of thousands.

Conclusion and Recommendation 3

Accurate analysis of who is entering and leaving the country is vital for effective policy-making and confidence-building. The International Passenger Survey (IPS) has proved to be inadequate for this purpose. We therefore welcome the reintroduction of exit checks and the publication of data on the exit rates in the study, visit and work visa categories. The exit checks programme has been shown to be an important source of data to use alongside the IPS survey and may help to improve public confidence in the immigration system. We recommend that the analysis of exit check data for visa holders be published quarterly alongside IPS immigration statistics. We also recommend that the Home Office examine how all entries and exits from major ports in the UK, including for non-visa travellers, can be recorded and that all entry and exit information is then used to aid the analysis of migration flow and to better inform policy decisions. (Paragraph 22)

We are pleased that the Committee recognises the value of the work to produce and publish new data on compliance rates for different categories, and the potential these new statistics have to improve public confidence in the immigration system.

The Home Office will continue to work together with the Office for National Statistics (ONS) and other Departments as part of the Government Statistical Service's programme of work to improve and enrich the migration statistics. We will continue to discuss developments with migration statistics users at the annual Migration Statistics User Forum, arranged in conjunction with the Royal Statistical Society.

Conclusion and Recommendation 4

The data captured by the decennial census is produced too infrequently to be valuable for measuring the impact of immigration on local areas. Beyond the extension of analysis based on entry and exit data, the Office for National Statistics should work with the Migration Advisory Committee, devolved governments and local authorities to develop regular and granular analyses of migration flows by local areas. (Paragraph 23)

The ONS has responded directly to the Committee on this recommendation.

The ONS is already working with Home Office statisticians and providing support for the MAC's work. Exploring the potential for better data on international migrants at a local level is one of the objectives of the Government Statistical Service's work to enhance the migration statistics.

Conclusion and Recommendation 5

The longstanding paucity of data of who may be in the country illegally is a serious concern. It has allowed anxiety to grow unchecked and has been perceived as the Government showing indifference toward an issue of high public interest. We recognise the Government's concern that to create an official estimate of overall illegal immigration without any reliable evidence would not add value to the debate. However, we also believe that more analysis of the scale and nature of the problem of illegal immigration is needed in order to develop appropriate policy responses and reassure the public that the issue is being addressed seriously. The Government should use exit data, and other relevant sources of information, to produce an annual estimate of the number of people who have breached the rules in that year to remain in the UK. (Paragraph 26)

On 24 August 2017, the Home Office published its second report on statistics being collected under the exit checks programme. This report provided further information from the exit checks programme including, for the first time, compliance rates across a number of different visa categories, as well as explaining the current potential uses of this data.

The Home Office will continue to make the most of the potential statistical benefits from this important new source, working closely with the ONS to ensure that the whole of Government can learn from this new data, and including giving the public further assurance on the actions we are taking on those who do not comply with the terms of their leave to remain in the UK.

The Home Office also publishes a very wide range of immigration data through its national statistics release and in other official statistics, and will continue to keep these under review to ensure that the data it publishes meet the needs of the users of these statistics.

Conclusion and Recommendation 6

The data and advice that the Migration Advisory Committee has been asked to provide on the role of EU nationals in the UK economy and society is vital to the development of a successful immigration system and to building confidence in that system. We welcome the commissioning of the MAC to provide this vital evidence, but we do not

understand why it took the Government more than 12 months from the referendum to commission this work or why such data is not collected by the Government as a matter of routine. The delay means that the White Paper on immigration, expected early this year, will have been drafted in an acknowledged evidence vacuum. It also means that when the Government begins negotiations on the UK's future relationship with the EU, it will do so without knowing what it wants the UK's future immigration arrangements with the EU to be or what the economy needs. We recommend that the MAC have a rolling commission to regularly collect and publish data on the relationship between the labour market and immigration. (Paragraph 29)

The Government welcomes the work of the MAC and notes that it has published a substantial interim report on 27 March which has added to the information available. The Government has been clear that our first priority in negotiations was to reach a deal on citizens' rights.

On 8 December 2017, we reached an agreement with the EU. The next priority was to sort out the arrangements during the Implementation Period—the period immediately following the UK's exit next March—which we have now done. The longer-term arrangements will only take effect after the end of the Implementation Period, meaning that there will be plenty of time between the MAC reporting and the introduction of a new system.

Conclusion and Recommendation 7, 8, 9, 17

We call on the Government to be more proactive in challenging myths and inaccuracies about immigration and the asylum system, including by publishing more factual information about the costs and benefits of immigration at local and national levels. As we set out below, this could be achieved by an Annual Migration Report and debate. (Paragraph 31)

Members of the public, organisations and businesses need access to better information about migration flows and the Government's policy approach to managing them. We believe that the Government should table an Annual Migration Report and set aside parliamentary time for debate on that report. The report would detail the previous year's migration flows, the economic contribution from migration to the Exchequer and the measures taken by the Government to manage impacts and pressures. Like the Comprehensive Spending Review, it could set out a three-year plan which would then be reviewed annually. It would be informed by independent advice from the Migration Advisory Committee just as the Budget is informed by the Office for Budget Responsibility; and it would include public consultation at local and regional level. As we set out later in this report, it should cover targets or controls for different kinds of migration, an assessment of migration levels and consideration of policy requirements for different regions and nations, plans for integration and support for local communities, and parallel labour market plans to deal with skills shortages which are increasing demand for overseas workers or measures to deal with exploitation of low skilled migration. (Paragraph 36)

The Annual Migration Report would have an explicit objective towards consensus building, to which all parties should commit. It should become the focal point for a sustained and ongoing commitment to public engagement across the nations and regions of the UK. Migration plans should include measures to challenge misinformation

and build trust, support and credibility. The Government should therefore actively seek submissions about its migration targets. Parliamentary committee hearings and public debates in town halls and other settings could scrutinise proposals and recommendations from civil society. The Government should be frank and open in recognising that policy-making involves compromise and that balancing competing interests means that no one can get everything they want. Adopting this approach would have the benefit of normalising a sustained, ongoing commitment to public engagement as part of the annual process of the oversight and review of immigration choices in the UK. (Paragraph 37)

Evidence to our inquiry and from the National Conversation suggests that any approach that treats all migration as the same encourages polarisation of the debate. Treating different kinds of migration differently would reflect most people's views of immigration, and allow for much greater consensus to be built into the debate, as well as for greater transparency over immigration policy in general. The Government should replace its net migration target with an evidence-based framework for different types of immigration that takes into account the UK's needs and its international obligations to accept people, arising from both trade and humanitarian agreements. Different targets or controls for different kinds of migration should be set out in the Annual Migration Report, as part of a three-year migration plan. Doing so would allow for more specific consideration of the costs and benefits of immigration and might help to build greater consensus behind different approaches to different kinds of migration. (Paragraph 65)

The Government agrees that an Annual Migration Report could have benefits in terms of improving understanding of the facts around immigration policy and practice.

At present, the Home Office is fully focussed on preparing for the end of free movement following the UK's departure from the EU. It is engaged in the negotiations with the EU and in the implementation of the results of the negotiations on Citizens' Rights and on the Implementation Period, to be implemented from March 2019. It is also developing proposals for EU migration once the Implementation Period ends on 31 December 2020. At the current time, there is already a great deal of information available about migration and the future direction of policy. As well as the interim report of the MAC referred to above, the Government has published details of the agreement with the European Commission on Citizens' Rights, announced on 8 December 2017, and made a statement on the arrangements applying to the Implementation Period on 28 February 2018 which were then set out in the draft legal text on 19 March.

The Government will give further consideration to the recommendation of an Annual Migration report once the longer term immigration arrangements following the UK's exit from the European Union have been put in place.

Fair and clear rules need to be properly enforced

Conclusion and Recommendation 10

We welcome the Home Secretary's commitment to simplifying immigration law and look forward to seeing tangible improvements. People are less likely to have confidence in a system which they cannot understand or access easily. These clearer

rules should be underpinned by clear principles and values—reflecting for example the importance of contributing to the country and the economy, supporting family life, safeguarding security, meeting international humanitarian obligations, and the rights and responsibilities of those who come. Information needs to be provided in a clear, consistent and easily accessible format, especially online. We recommend that these principles are debated and set out clearly in the Annual Migration Reports. The procedures for making and scrutinising immigration rules and amendments to them require significant change to enhance consultation and parliamentary accountability. (Paragraph 41)

On 13 December 2017, the Law Commission published its Thirteenth Programme of Law Reform, which included a project on “Simplifying the Immigration Rules”. The Immigration Rules set out the requirements migrants need to meet to come to and stay in the UK. They have not been consolidated since 1994 and the Law Commission has found that they have become unwieldy, complex and difficult to use for non-practitioners. We welcome the Law Commission’s project.

The Law Commission will not be looking at the underlying policy, but will instead aim to identify principles by reference to which the Rules could be redrafted to make them simpler and more accessible to the user. The Law Commission will consult a range of users and make recommendations to the Government. The review will not affect the legal basis on which a person has leave to enter or remain in the UK.

Conclusion and Recommendation 11

Our predecessors warned repeatedly about the need to improve the performance of the immigration system. The sheer number of people within the immigration system means that mistakes, particularly those based on inaccurate data, are highly unlikely ever to be eradicated completely. However, the impact of errors can be deeply damaging and traumatic for individuals and delays can leave families in limbo for long periods. The huge increase in delays in processing asylum applications are particularly worrying. The Home Office needs to do much more to reduce errors and to speed up accurate decision-making. We will examine the Home Office’s capacity to deliver effective immigration services in more detail in a separate report to be issued shortly. In the meantime, we urge the Home Office to do more to respond to the recommendations of the Independent Chief Inspector of Borders and Immigration, and to improve quality assurance and the recruitment, training and retention of immigration officials. (Paragraph 44)

Data published on 22 February 2018 shows that the Borders, Immigration and Citizenship System continues to perform very effectively. For example, at the border, 98.2% of passengers are cleared within service standards, and straightforward in-country leave to remain and asylum claims continue to be processed within their service standards.

However, the Committee is right to highlight that the proportion of asylum claims categorised as “non-straightforward” is growing. A non-straightforward asylum case is classed as one which is too complex to decide within 6 months for reasons outside of our control, such as when we are waiting for medical reports or, in some cases, where there are issues relating to national security.

A case can only be deemed non-straightforward by a Senior Executive Officer or higher grade, and our guidance sets out that non-straightforward cases must be regularly reviewed in line with the individual timescales and specifics of the case, with legal representatives asked to provide progress updates in relation to medical or other evidence.

The asylum system is stabilising, and we have ambitious plans to reduce the number of outstanding asylum decisions and the length of time people wait for a decision. Our Next Generation Casework programme aims to reduce significantly the number of non-straightforward cases pending a decision.

Furthermore, we are using complaint data from customers, MPs, and anyone who accesses our services to drive operational improvement. Customer services teams work to spot and swiftly help those who need it, and we are reviewing the operational assurance regime across the Borders, Immigration and Citizenship System to ensure it is effective and reflects best practice.

Conclusion and Recommendation 12

Immigration rules need to be enforced effectively if the unacceptable failures of the past, which have led to public anxiety over whether the system is fair, are to be avoided. There must be a much greater focus on early enforcement. Exit checks will assist in the detection of overstayers but more resources must be made available to support enforcement and action against those who knowingly employ people with no legal right to be in the country. (Paragraph 50)

We have strengthened the sanctions against employing an illegal worker. Employers could have their licences removed, face prosecution, and have their businesses closed and placed under special compliance orders, if they continue to flout the law. Fines collected from employers of illegal workers are at record levels.

In addition, illegal working is now a criminal offence, which enables wages from illegal working to be seized as the proceeds of crime.

As we continue to make progress in strengthening the Borders, Immigration and Citizenship System against abuse, particularly encouraging compliance, the number of those individuals here without legitimate status will fall.

Conclusion and Recommendation 13

We are concerned, in the context of budget cuts and evidence we have received about staffing gaps, to see reports that the Home Office is considering using volunteers to staff the border. We are alarmed by suggestions that volunteers might take on roles that should be carried out by full-time, trained staff, particularly when this involves protecting the integrity and security of the UK border. We will examine this issue in our forthcoming separate report on the capacity of the Home Office to deliver immigration services, which will include our assessment of the capacity of Border Force to fulfil its functions effectively. (Paragraph 51)

The Home Office is in the process of taking advice from other law enforcement bodies, such as police forces, which have successfully deployed well-trained, high calibre Special Constables for many years, to examine whether a Special Volunteer force within Border Force would provide benefits and bolster existing activity.

If a pilot volunteer scheme were to be taken forward, it would be subject to rigorous selection procedures, with candidates undergoing initial security clearance checks in line with full-time Border Force employees, coupled with comprehensive training and mentoring.

The Government is clear that it will never compromise on keeping the people of this country safe from terrorism and criminality. Over the last two years, Border Force has invested £119m in new technology and capability, with a further £93m in 2017/18.

Border Force can redeploy resources on a national basis, and can prioritise delegated funding to address specific pressures when necessary. In 2016/17 £36 million of additional funding was allocated to deal with migrant pressures in the Calais region and to further strengthen security at the UK border. In 2017/18, a further £32m has been allocated.

Border Force is increasing, by at least 300, the number of frontline Border Force officers from earlier plans which will allow us to deliver training to our existing workforce in preparation for future arrangements, ahead of our departure from the EU. Recruitment of this cohort began in November 2017 and we expect training to be rolled out from April.

Conclusion and Recommendation 14

The Government should not rely on its “hostile environment” policy as a panacea for enforcement and building confidence, especially given the current concerns about accuracy and error. We are concerned that the policy is unclear and, in some instances, too open to interpretation and inadvertent error. Not only can these errors be deeply damaging and distressing to those involved—as with letters being sent to EU nationals about their right to live in the UK—they also undermine the credibility of the system. Recent high-profile reports of the Home office threatening to deport individuals based on inaccurate and untested information, and before an independent appeal process, risk undermining the credibility of the whole system. This is particularly worrying in advance of the need to register EU nationals in preparation for Brexit. (Paragraph 57)

The Compliant Environment is one element, albeit an important one, in our comprehensive enforcement strategy to tackle illegal migration and its impacts. This strategy includes traditional approaches such as administrative removal, detention and deportation where appropriate. The Government does not rely solely on the compliant environment policy.

We agree that the compliant environment measures need to be applied with care. We regret that letters were mistakenly sent to 106 EU citizens in August 2017 and we made an immediate apology to that effect. Those affected were informed that they could disregard the notices that were issued to them, and we have met all reasonable associated costs that have been incurred as a result.

The Home Office deals with millions of visa, citizenship, passport and immigration status applications each year and errors are rare.

Conclusion and Recommendation 15

It is clear there are serious deficiencies in the effectiveness and operation of detention at present. We are looking further at the use of immigration detention following the revelations of abuse at Brook House Immigration Removal Centre. We welcome the Government asking Stephen Shaw to follow up his 2016 report on the welfare of vulnerable people in detention and expect to consider this issue in more detail once he concludes his important work. (Paragraph 60)

Detention continues to play a key role in securing our borders and maintaining effective immigration control, especially in support of the removal of those with no lawful basis to stay in the UK.

The Home Office expects the highest standards from Detainee Custody Officers and others working with detainees. G4S, which operates Brook House, is implementing a comprehensive programme to enhance staffing and management and an action plan to deliver wider improvements at Brook House.

The Home Office looks forward to receiving Stephen Shaw's follow up report in the coming months.

Conclusion and Recommendation 16

The public need reassurance that criminal and security checks are properly embedded in the immigration system. The Government should set out the current criminal and security vetting procedures that people are subject to before their arrival in the UK. We recommend the Home Office reviews cross-agency practices for removing foreign national offenders, including where recent arrivals have received custodial sentences and are eligible for removal. (Paragraph 62)

All passengers arriving in the UK at passport control are checked against police, security and immigration watchlists on arrival at the border. The majority of these are checked against our systems before they travel, through the collection of advanced passenger information (API). API helps protect the UK against terrorist attacks, serious cross-border crime and abuses of the immigration system.

We aim to deport all foreign national offenders at the earliest opportunity. Over 42,000 foreign national offenders have been removed from the UK since the start of 2010.

Conclusion and Recommendation 18 and 19

International statistical rules require students to be included in the way migration is calculated but we do not believe that it is logical or in the best interests of the UK to include international students in a target based on restricting migration flow, given that they represent a large group of migrants who are in most part temporary and whom the Government is keen to encourage to come to the UK. There should be no national target to restrict the numbers of students coming to the UK. As a minimum, the Government should remove immediately student migration from the net migration target. (Paragraph 70)

In calling for more international students to come and study in the UK, universities must be mindful of local impacts of large numbers of students and work with local authorities to help manage pressures on housing and public services. Universities should be expected to consult local authorities on future student numbers in their area. (Paragraph 72)

The Government welcomes genuine international students who come to the UK. The UK remains the world's second most popular destination for international students, after the US. In the year ending December 2017, there were 224,000 study-related visas granted (excluding the Short-term student category), an increase of 8%.

There is no cap or limit on the number of international students who can come to study in the UK, nor any intention to impose one. Similarly, there is no cap or limit on the number of international graduates of UK educational institutions who can move into the UK workforce by securing a graduate level job.

Conclusion and Recommendation 20

There should be no diminution in the UK's approach towards its international humanitarian obligations as it leaves the European Union. The UK has a proud tradition in providing support to those fleeing persecution and the principle has widespread public support. The principle of asylum—with the internationally recognised degree of evidence required—must be upheld. The Government should make every effort to honour its existing commitments to bring unaccompanied children from Europe and elsewhere, both as part of the Dubs scheme and the Dublin III Regulation but also through family reunion routes within and outside the Immigration Rules. (Paragraph 77)

The Government recognises its responsibility to those in need of international protection. The UK has a long and proud tradition of providing protection to those who need it, and we are signatories to both the ECHR and the Refugee Convention. We fully intend that the Dublin III arrangements, like the rest of the asylum acquis, will continue to apply during the Implementation Period. Section 67 of the Immigration Act 2016 is part of domestic law.

We are cooperating closely with participating States and relevant partners such as the UNHCR, the International Organization for Migration and NGOs, to ensure the safe transfer of children referred by each participating State to the UK. Thus, we are currently working with European counterparts to transfer 480 unaccompanied children to the UK under section 67 of the Immigration Act 2016. After extensive discussion with France, Greece and Italy, we have agreed to amend the eligibility date on an exceptional basis to ensure we can transfer the remaining unaccompanied children.

In addition, we remain committed to the efficient and effective operation of the Dublin Regulation and as part of the Sandhurst Treaty, signed between the UK and France on 18 January 2018, we announced a number of further measures to support unaccompanied asylum seeking and refugee children. This includes, in respect of transferring the asylum claim of unaccompanied asylum seeking children under Article 8(1) and Article 8(2) of the

Dublin Regulation, a commitment to provide a decision to France within ten working days of the conclusion of engagement with the relevant UK local authority; and, if applicable, France will aim to transfer the child to the UK within 15 working days.

To support the facilitation of cooperation on unaccompanied asylum seeking children, under both the Dublin Regulation and section 67 of the Immigration Act 2016, we are deploying a UK Liaison Officer to France. Further information on the Treaty can be found here: <http://www.parliament.uk/business/publications/written-questions-answers-statements/written-statement/Commons/2018-01-19/HCWS415/>.

The Home Office already has longstanding arrangements in place to consider asylum claims from unaccompanied children. Where an unaccompanied child does not qualify for refugee status or humanitarian protection, and safe and adequate reception arrangements cannot be confirmed in the country of return, the Home Office will consider granting temporary unaccompanied asylum seeking children leave for 30 months or until the child is 17 and a half years old, whichever is shorter. On turning 18, the young person is able to make a further application if they believe they have a lawful basis to remain in the UK.

We would like co-operation on asylum and migration issues to continue with our European partners after the UK leaves the EU. We will seek to discuss this as part of our negotiations with the EU in the coming months.

Conclusion and Recommendation 21

We recommend that the Government does more to challenge public misconceptions about people seeking asylum. In particular, a much clearer differentiation must be made between asylum and migration for other reasons. Clear public information should be provided on the entitlements, rights and number of asylum-seekers compared with other migrants to combat myths. A failure to do so risks harming support for asylum and refugee policy. As a minimum, people who enter the UK for humanitarian purposes should not be included in headline figures of net migration including, while it remains in use, the net migration target. (Paragraph 78)

The internationally agreed UN definition is that a migrant is defined as someone changing their normal place of residence for more than a year. Refugees who stay for longer than 12 months will, like other migrants, have an impact on communities, infrastructure and services while they are here, so we believe it is right that they are included in the net migration count.

Conclusion and Recommendation 22

The success of the Syrian Vulnerable Persons Resettlement Scheme shows that a well-managed and well-funded refugee resettlement scheme attracts strong support. A resettlement scheme along similar lines to the Syrian VPRS should be established on a permanent basis, in collaboration with the United Nations High Commission for Refugees, which would apply to refugees from other countries. (Paragraph 79)

The Government welcomes the Committee's positive findings in respect of the Vulnerable Persons Resettlement Scheme. An asylum and resettlement strategy is being developed, including consultation with stakeholders, which will include options on the future of resettlement once the current commitments are delivered.

Conclusion and Recommendation 23

Much of the evidence we received for this inquiry called for immigration policy and those responsible for its administration to be more sensitive to the rights of families and children, particularly where there was evidence—beyond the salary of the key sponsor—that they would be able to support themselves. Fees, requirements for regular visa extensions and salary thresholds and qualifying periods are just some of the barriers that we were told prevented people from being able to live a settled life in the UK. We believe that striving to meet the best interests of families and children should be at the heart of immigration policy. We urge the Home Office to take note of these concerns and review the impact of its policies on families and children. (Paragraph 82)

The UK's immigration policy is fully consistent with our legal obligations to families and children as set out in international and domestic legislation. Policies contain exceptions for those who are destitute and unable to exercise their legal rights as a result. As a matter of general policy however the Government's view is that migrants should be financially independent and that this will aid integration and build public trust in the system.

Policies such as those requiring the UK-based sponsor of family members to meet certain income requirements were based on advice from the MAC and this policy has been upheld in the Supreme Court. The Supreme Court has also upheld minimum language requirements set by the Home Office. We believe it is right to charge fees at a level which reflects the costs of administering the system and also the value to individual migrants of being able to live in the UK.

Immigration should work for the economic and social interests of the UK and its citizens

Conclusion and Recommendation 24

The public need reassurance that the contributory principle is embedded in the immigration system to address concerns that some people might be attracted to the UK because of our system of welfare. As part of the Annual Migration Report which we have recommended, the Government should set out the details of the expected contributions and entitlements of new arrivals in the UK in the different immigration categories. (Paragraph 86)

Details of all immigration routes, including how long people can come to the UK under them, and what rights migrants have to work and to receive benefits, are published on Gov.uk.

Conclusion and Recommendation 25

We note that there are a range of views on the potential trade-offs between immigration and global trade policy. We have not yet considered the options for a specific migration policy towards EEA citizens post-Brexit, but expect to do so when the Government publishes its forthcoming immigration White Paper. (Paragraph 87)

The Government will introduce an immigration system that works in the national interest following the UK's exit from the European Union. Further details will be published in due course.

Conclusion and Recommendation 26

We support the idea that the immigration system should treat different skills differently. There is also clear public support for the continued supply of high-skilled (not just highly-paid) workers to provide skills that are needed in the economy. Immigration rules should allow UK businesses and organisations easily to attract top talent in internationally competitive fields, and restrictions and controls should focus more on low-skilled migration. (Paragraph 90)

The existing immigration system for non-EEA citizens already differentiates between skills levels. Tier 1 is for those with particular talents or attributes; Tier 2 is the main route for skilled workers; Tier 4 is for students; Tier 5 contains a variety of routes, including temporary routes, youth mobility schemes and Government authorised exchange schemes where the skill and salary requirements are considerably lower than for Tier 2.

Conclusion and Recommendation 27 and 28

We recommend that policy on immigration for work purposes be linked to strategies for improving investment in domestic skills and training with the target of reducing dependency on migrant labour. For skilled jobs where there are shortages or high levels of recruitment from abroad, there should be a joint plan on skills and migration set out in the Annual Migration Report. Government should draw up a three-year rolling plan with businesses, trade unions, training sectors, devolved governments and local councils which identifies the level of immigration needed to fill skills gaps in the short term, but only alongside a clear vision of and commitment to investment to increase domestic training and skills in sectors and regions where this is needed. For example, nurses are currently categorised as a 'shortage occupation' for the purposes of non-EU immigration policy. In the case of nursing, easier access to labour in the short-term should be accompanied by a plan to increase nurse training places and domestic recruitment over the next three years. In the cases of, for example, computing skills and construction, the awarding of work permits should be linked to sectoral agreements setting out commitments to training. (Paragraph 92)

The Government should consider a new Seasonal Agricultural Workers Scheme as there is already evidence that access to UK and EEA labour markets is insufficient to meet current demand. The objective of any such scheme would be to meet labour and skills shortages in the sector. (Paragraph 97)

The Government places great value on the UK's food and farming industries, both as a crucial component of the UK economy and of the fabric of rural Britain.

Until we have left the EU, the UK will remain a member with all the rights and obligations that membership entails, and employers in the agricultural and food processing sectors are free to continue to recruit EU workers to meet their labour needs. The latest labour market statistics show that there are 100,000 more EU workers in the UK workforce than there were a year ago.

Furthermore, during the Implementation Period which will last until 31 December 2020, EU citizens will be able to come to live and work in the UK. Therefore there will not be a cliff-edge for UK employers. The Government is determined to get the best deal for the UK in our negotiations to leave the EU, including for our world-leading food and farming industry.

As the Secretary of State for Environment, Food and Rural Affairs said at the National Farmers' Union conference, we keep the situation under close review. We have asked the MAC for advice on the UK's reliance on EU labour and this will help us shape immigration policy going forward.

Conclusion and Recommendation 29

For low skilled jobs where recruitment is heavily reliant on workers from abroad, the MAC should assess how far this is because of poor pay, terms and conditions, agency working or location, and therefore what kinds of new restrictions and controls are needed to prevent undercutting and exploitation. (Paragraph 99)

The MAC has been commissioned to consider current patterns of EU and EEA migration to the UK, and the role of migration in the wider economy and society, including looking at skill levels. The MAC has been asked to report by September 2018.

Conclusion and Recommendation 30

We welcome the provision of further powers and resources to the Gangmasters and Labour Abuse Authority (GLAA) (formerly the Gangmasters Licensing Authority). However, we recommend the Government considers further reforms to strengthen the GLAA and expand its remit, including considering an increase in regulated sectors where GLAA licences are required. We also recommend that enforcement of labour market standards is included in the Annual Migration Report, so that Parliament can consider the efficacy of the GLAA reforms and monitor its activities. (Paragraph 102)

The Director of Labour Market Enforcement, Professor Sir David Metcalf CBE's role, was created to bring focus and co-ordination to the enforcement of labour market legislation. He is responsible for setting the strategic priorities for labour market enforcement in his annual strategy and outlining the role of each of the three main enforcement bodies (including the Gangmasters and Labour Abuse Authority (GLAA)) in delivering them. Within this new landscape, the GLAA will have an essential role in tackling labour market exploitation, including modern slavery, and that is why last year we broadened the

Authority's remit to enable it to deal with sectors across the entire economy, and brought into force provisions to give its officers powers under the Police and Criminal Evidence Act 1984 to investigate labour market offences.

The licensing scheme administered by the GLAA regulates UK businesses that provide workers to the fresh produce supply chain and horticulture industry, to ensure that they meet the employment standards required by law.

UK employers and labour providers in all sectors are regulated by a range of legislation and enforcement agencies – some by established employment law, some by the GLAA, and many more by the Employment Agency Standards Inspectorate (EAS and others are also regulated by the Health and Safety Executive).

The Government believes that the question of amendments to the licensing regime should be informed by an understanding of the threat of exploitation in different sectors and the full range of options for tackling this. Last year, the Director of Labour Market Enforcement sought evidence on the case for extending licensing to other sectors from stakeholders in his consultation to help inform the development of his first full annual strategy and we understand that he may cover this in his first full strategy, which is expected to be published shortly.

Action is needed to address the impact of immigration on local communities

Conclusion and Recommendation 31

It is imperative that the work of the Controlling Migration Fund (CMF) is visible and locally accountable if it is to overcome the perceived weaknesses of its predecessor scheme, the Migration Impacts Fund (MIF). We are unconvinced, however, that the scope of the CMF is sufficient to address the additional pressures that rapid increases in population as a result of immigration can place on local public services or that conventional channels of public spending are sufficiently responsive to such increased demands. We recommend that proper assessment is made of both the positive benefits and negative pressures of immigration on public services. This assessment should form part of the Annual Migration Report, and lead to recommendations for additional funding to be made explicitly available to local authorities where immigration has demonstrably led to an increased demand for public services. The Government should also guard against allowing immigration to be blamed for wider funding pressures on public services—including by challenging misinformation and ensuring appropriate funding for public services is in place. (Paragraph 110)

The Controlling Migration Fund has an important role to play in providing additional support to those local communities experiencing additional pressures arising from migration. Since the introduction of the scheme, the Government has granted additional funding of £42 million to local authorities who have bid for CMF provision to support specific projects designed to alleviate pressures on local communities, including through better facilitating the integration of new arrivals and through tackling rogue landlords and others who might exploit them.

However, the role of the CMF should be kept in perspective. For many services like schools and health, mainstream central government funding is designed to reflect changes in population size, including where there is immigration into an area.

Conclusion and Recommendation 32

Initial applications to the CMF show that the problem of rogue landlords letting overcrowded accommodation blights communities across the country. We do not believe the Controlling Migration Fund alone will be sufficient to tackle this problem. The Government should put in place, and actively enforce, much stronger regulation of houses of multiple occupation. (Paragraph 111)

The Controlling Migration Fund provides a means of delivering additional financial support for local authorities experiencing difficulties with rogue landlords. The London Borough of Lewisham, for example, has had success in bidding to the CMF to fund extra members of staff to tackle the worst offending rogue/criminal landlords, greatly raising their numbers of prosecutions.

The CMF does not constitute the totality of Government action to tackle rogue landlords. In the Housing and Planning Act 2016, the Ministry of Housing Communities and Local Government have introduced a comprehensive package of reforms to strengthen protections against rogue landlords and to secure compliance with housing and planning legislation.

This includes:

- civil penalties of up to £30k as an alternative to prosecution and extended Rent Repayment Orders to cover illegal eviction and failure to comply with a statutory notice (which came into force April 2017)
- a new system of banning orders in more serious cases where landlords have breached housing, immigration and other criminal offences and a database of rogue landlords/letting agents convicted of certain offences to assist local authority enforcement work (both of which come into force in April 2018); and
- extending mandatory licensing to smaller houses of multiple occupation (HMOs) occupied by five or more unrelated people (which comes into force in October 2018).

In parallel, the Home Office has taken action in the Immigration Acts 2014 and 2016 to provide new powers for landlords who let accommodation to illegal migrant tenants, who are often housed in illegal structures or illegally overcrowded conditions.

Conclusion and Recommendation 33

We recommend that funding for English language courses should be separate from the Controlling Migration Fund and should be restored to previous levels. The ability to speak English has been identified in opinion surveys as a key factor in effective integration of migrants and we agree that it makes an essential contribution in this respect. We are concerned that the Controlling Migration Fund is currently being used to mitigate the impact of cuts in public funding for English-language training

elsewhere in the system. Changing the source of funding for English language courses would allow more CMF funding to be used on projects of tangible benefit to resident populations, which may feel their concerns have so far been largely ignored at a national level. (Paragraph 116)

The Government recognises the importance of English language for integration. As well as improving employability, speaking English increases access to services and improves participation in local communities. The 2017 manifesto committed the Government to bringing forward a new integration strategy, which will include proposals to teach more people to speak English.

In 2016/17, the Department for Education invested £99m of the £1.5bn Adult Education Budget (AEB) in fully and part-funded ESOL (English for Speakers of Other Languages) courses, enabling 114,100 adult learners to improve their levels of English, around 4,000 learners more than in 2015/16. ESOL courses are fully funded for those who are job-seekers on work-related benefits, and co-funded at 50% for all other learners.

Those who are granted refugee status after arrival in the UK have the same access to AEB funded courses as someone from the UK. Since 2013, the Ministry for Housing, Communities and Local Government has invested £12m, through its Community-Based English Language programme, in projects to support 54,000 isolated adults to learn English in community settings, with a specific focus on women with the lowest levels of English who are economically inactive.

In addition, the Government has also provided additional funding of £10m under the Vulnerable Persons Resettlement Scheme for more English classes for those resettled under this scheme. Separate funding has been made available for childcare provision, and local coordination of English language services.

The CMF listed English language provision as one of many activities that could be funded. Bids were invited that aimed to address local issues, and English language was provided for to ensure that bids could take a holistic approach.

Conclusion and Recommendation 34 and 35

Efforts by proactive local authorities are essential to tackling at source the problems caused by a lack of integration. We support the recommendation of the All-Party Parliamentary Group on Social Integration that local authorities should develop local integration strategies. On an annual basis, local authorities should report the economic, civic and social barriers to integration in their areas and make recommendations for action, including measures to tackle anti-social behaviour and hate crime. They should also be more proactive in tackling immigration myths in their areas to prevent prejudices from taking hold. (Paragraph 119)

The findings and recommendations of local integration strategies should feed directly into the Annual Migration Report. The Government should develop a national integration strategy as part of its three-year migration plans, with the explicit goal of supporting local councils, to address the concerns they raise and following up the recommendations of the Casey Review. (Paragraph 120)

On 14 March 2018, the Government published its Integrated Communities Strategy Green Paper. The strategy sets out a vision for building strong integrated communities and sets out an ambitious national framework of priorities to tackle the key drivers of poor integration we have identified. This strategy also signals a new localised approach to integration which we will trial initially in five areas. The Green Paper sets out a range of proposals, a number of which the Home Office will lead upon, to support newly arrived migrants to integrate and improve communities' ability to support migration.

Conclusion and Recommendation 36

People are more likely to integrate if they are staying for longer. Greater churn of people is harder for community relations. The Government should ensure that immigration rules do not simply encourage higher levels of temporary migration at the expense of long term settlement and commitment to this country. It should review pathways to settlement and citizenship to encourage greater certainty for applicants and promote integration. (Paragraph 123)

The Government does not accept that all migration should lead to a right to settle permanently in the UK. Such an approach would rightly concern the public. Settlement rights are restricted to certain routes, notably family migration, refugees and highly-skilled work. The Government will continue to pursue a differentiated approach, while always keeping the details of the rules under review. This information is clearly included in the material published on gov.uk relating to those visa routes so that applicants know the position before they come to the UK.

Conclusion and Recommendation 37 and 38

We note that much of the British public want a say over the volume and type of immigration in their own area, while recognising that different priorities exist in different parts of the country. However, it is also clear that any regionally-specific migration policy raises concerns about enforcement and public scepticism about whether it is workable and, as we set out earlier in this report, credibility on enforcement is a crucial part of building broader consensus on immigration. However, we note that the changes to entry and exit checks alongside the 'hostile environment' might make that enforcement easier for certain kinds of visas, for example making it harder for someone with a study visa for a university in Scotland to live or work in Wales. (Paragraph 131)

A future immigration system needs to work effectively for all parts of the UK. It is helpful that the Government has included regional distribution in the work it has commissioned from the Migration Advisory Committee (MAC) to examine the role EU nationals play in the UK economy and society. The MAC's intention to engage with stakeholders across the UK as part of this work is welcome, and we look forward to reviewing its findings when they are published later this year. An assessment should also be made of what kinds of enforcement are possible on a regional basis. Until the MAC concludes its work and that assessment has been done, the Government should be open-minded to a future immigration system that allows for different regional approaches to immigration. (Paragraph 132)

Immigration is a reserved matter, and the Government believes for reasons of both practicality and principle, a single UK-wide immigration system is the best approach. Nevertheless, the Government looks forward to receiving the advice from the MAC.

Appendix 2: Office for National Statistics (ONS) Response

The Committee made one recommendation to the ONS:

The data captured by the decennial census is produced too infrequently to be valuable for measuring the impact of immigration on local areas. Beyond the extension of analysis based on entry and exit data, the Office for National Statistics should work with the Migration Advisory Committee, devolved governments and local authorities to develop regular and granular analyses of migration flows by local areas. (Paragraph 23)

ONS continually reviews and improves the quality of the statistics it produces. Last year we published our plans for improving the UK's official migration statistics,¹ and committed to putting administrative sources at the heart of migration statistics by 2019. We noted the need for more local level information about migration flows, and the impact of migration, in our response to the joint ONS, Home Office, DWP and HMRC consultation on international migration statistics outputs in March 2017.²

ONS will explore impacts of migration at the local and national level throughout the development of our migration statistics. We are currently exploring how to link exit check data to Higher Education Statistics Agency (HESA) data, to improve our understanding of student migration at a local level. We are also talking to our sister statistical institutes, National Records Scotland (NRS) and Northern Ireland Statistics and Research Agency (NISRA), with a view for future collaboration in the field of migration statistics to achieve better granularity.

Moreover, these improvements to UK migration statistics are part of a wider package of work with administrative data to transform the population statistics system. This sits alongside our plans to review the future of the decennial census in England and Wales, which aims to produce more frequent local level statistics, including on migration flows.

The Committee's report specifically recommended that ONS work with the Migration Advisory Committee (MAC) to develop regular and granular analyses of migration flows by local areas. ONS recently responded to the MAC calls for evidence, to provide regional and local analyses on European Economic Area workers,³ and on international students,⁴ and are happy to work more collaboratively with them in future.

As we develop the UK's migration statistics, ONS are keen to work closely with decision-makers in Parliament, government, local authorities and academia. We held a stakeholder meeting in September 2017 to allow them to debate and contribute to our ambitious programme of work to improve migration statistics. Our plans rely on working across government and with stakeholders to provide a strong evidence base for migration statistics, and to draw valuable conclusions from this data.

Later this month I will publish a blog providing a further update on our plans for improving migration statistics, and will be sure to send the Committee a copy of this.

1 [ONS Migration Statistics Update February 2017](#)

2 [Response to international migration statistics consultation: March 2017](#)

3 [ONS Evidence to MAC: EEA Workers](#)

4 [ONS Evidence to MAC: International Students](#)