

Migration Advisory Committee

Annual Report 2012/13

Migration Advisory Committee

July 2013



Migration Advisory Committee,
2nd Floor, Fry Building,
2 Marsham Street,
London,
SW1P 4DF.
www.ukba.homeoffice.gov.uk/mac
email: MAC@homeoffice.gsi.gov.uk

**Migration Advisory
Committee:**

Annual Report 2012/13

Migration Advisory Committee

July 2013

Contents

The Migration Advisory Committee	7
Foreword by Professor Sir David Metcalf CBE	9
Chapter 1 Introduction.....	11
Chapter 2 Terms of reference	11
Chapter 3 Relationship with the Home Office.....	11
Chapter 4 Frequency of MAC meetings	11
Chapter 5 Recruitment	12
Chapter 6 Corporate partner engagement	12
Chapter 7 The secretariat.....	12
Chapter 8 Triennial review of the MAC	13
Chapter 9 Work of the Migration Advisory Committee in 2012-13.....	13
9.1 Analysis of the Points Based System – List of occupations skilled at NQF level 6 and above and review of the Tier 2 codes of practice	13
9.2 Full review of the recommended shortage occupation lists for the UK and Scotland, a sunset clause and the creative occupations	14
9.3 Migrant Seasonal Workers. The impact on the horticulture and food processing sectors of closing the Seasonal Agricultural Workers Scheme and the Sectors Based Scheme	15
Chapter 10 Budget and expenditure	16
Chapter 11 Research programme.....	17
Appendix 1: Profiles of the Migration Advisory Committee	19
Chair.....	19
Members	19
Members of the MAC who stood down in the year 2012 - 2013.....	21
Appendix 2: Work the MAC was commissioned to do in 2012-13.....	23
Appendix 3: Migration Advisory Committee reports and publications (in reverse chronological order)	25

The Migration Advisory Committee

The Migration Advisory Committee (MAC) is a non-statutory, non-time limited, non-departmental public body (NDPB) which was established in 2007 and is funded by the Home Office. The MAC is comprised of economists and migration experts who are publicly appointed in line with guidance published by the Office of the Commissioner for Public Appointments; along with ex-officio representatives of the UK Commission for Employment and Skills and the Home Office.

Chair



Professor Sir David Metcalf CBE
from August 2007

Members



Dr Martin Ruhs
from December 2007



Dr Jennifer Smith
from November 2012

UK Commission for Employment and Skills representative



Lesley Giles



Professor Jonathan Wadsworth
from December 2007



Professor Jackline Wahba
from November 2012

Home Office representative



Glyn Williams

Foreword by Professor Sir David Metcalf CBE

It is a pleasure to contribute the Foreword to this 2012-13 Migration Advisory Committee (MAC) Annual Report. The MAC was established in 2007 to provide transparent, independent, evidence-based advice for the Government on immigration issues, with our work plan determined by the Government.

Since 2007 the MAC has produced over 22 major reports, mainly concerned with work-related migration flows. The major issues we have dealt with include: calibration of points under the Points Based System; skill level and pay thresholds for Tier 2 (the main route for non-European Union work migration); definition of shortage occupations; and limits on, and impact of, migration. In 2012-13 we were asked to focus on three issues: (i) revising the codes of practice – largely about pay thresholds and advertising regulations – for Tier 2; (ii) a complete review of the shortage occupation list, important because occupations and job titles on this list are prioritised if the migration limit is reached; and (iii) the impact from 2014 of the ending of the Seasonal Agricultural Workers Scheme, under which 21,250 workers from Bulgaria and Romania are able to legally supply labour to horticulture, and the Sectors Based Scheme which similarly supplies labour to the food processing sector. All MAC reports are available on our website: www.ukba.homeoffice.gsi.gov.uk/mac

Corporate partners play a vital role in the work of the MAC. Some of our interactions with them are formal, for example meetings with our Stakeholder Panel or with overseas embassies or high commissions. Others are semi-formal, such as our consultation and information events in London, Belfast, Birmingham, Edinburgh and elsewhere. However, in the main, most of our interactions with our partners are informal and have been in the form of visits to various employer locations where we were able to see specific jobs in action and therefore gather evidence from the shop floor. Such visits have included: a visit to a car factory in Derby; a visit to see celery harvested in Cambridgeshire; strawberry picking on farms in Kent; and a visit to a major power distribution site in London. The MAC greatly values our interaction with partners and we are grateful for the trouble partners take to inform our reports.

During 2012-13 two founder members of the MAC completed their term. I wish to acknowledge the major contribution that Professor Rob Wilson (Warwick University) and Dr Diane Coyle (Enlightenment Economics) made both to successfully establishing the MAC and subsequently cementing its reputation for high-quality work. I look forward to working in the future with their successors, Dr Jennifer Smith (Warwick University) and Professor Jackline Wahba (Southampton University).

Finally, I wish to pay tribute to our small, but excellent, secretariat. These colleagues undertake much of the interaction with partners and have developed very constructive relationships in, for example, the engineering, health and IT sectors.

They also provide the economic analysis that underpins most of our reports. The MAC is fortunate indeed to have such dedicated, high-quality public servants in these troubled times.

A handwritten signature in black ink that reads "David Metcalf". The signature is written in a cursive style with a large initial 'D'.

Professor Sir David Metcalf CBE

Chapter 1 Introduction

1.1 This is the MAC's first Annual Report. The report:

- provides an overview of the Committee's work;
- confirms the MAC's Terms of Reference and membership; and
- gives a summary of the issues the Committee considered between April 2012 and March 2013.

Any enquires about this Annual Report or any aspect of the MAC's work should be addressed to:

Migration Advisory Committee secretariat
2nd Floor, Fry Building
2 Marsham Street
London SW1P 4DF

Tel: 020 7035 1764

Email: MAC@homeoffice.gsi.gov.uk

Chapter 2 Terms of reference

2.1 The MAC is tasked with providing transparent, independent, evidence-based advice to Government. Its purpose is to deliver high-quality evidence-based reports and policy advice in accordance with the workplan set by the Government. In addition, the MAC is tasked with helping to ensure that Government policy and strategy in relation to migration and employment is based on the best possible evidence and analysis.

Chapter 3 Relationship with the Home Office

3.1 The MAC is an advisory non-departmental public body (NDPB) sponsored by the Home Office. Further information on the MAC's relationship with the Home Office is set out in its Framework Document, which is published on the MAC's website. The MAC's secretariat is comprised of Home Office civil servants who are operationally independent from the Home Office. Its corporate functions such as finance, IT and HR support are provided by the Home Office.

Chapter 4 Frequency of MAC meetings

4.1 Between 1 April 2012 and 31 March 2013 the MAC held 9 full meetings. The minutes of all committee meetings are published on the on the MAC website after they have been formulated and agreed by the MAC.

Chapter 5 Recruitment

- 5.1 Dr Jennifer Smith and Professor Jackline Wahba were appointed members of the MAC in November 2012 to fill the vacancies created by Dr Diane Coyle OBE and Professor Robert Wilson who had both reached the end of their terms of appointment. All appointments were made following an open competition in accordance with the guidance issued by the Office of the Commissioner for Public Appointments (OCPA). An induction programme was provided for new members.

Chapter 6 Corporate partner engagement

- 6.1 The MAC combines detailed analysis of national level data with in-depth knowledge of, and evidence from, employers and other partners involved in the UK labour market. A key feature of the MAC's work therefore is the development of full and effective engagement with a wide variety of partners from within business, central and local government, sector skills councils, trade unions, academia and individual employers.
- 6.2 Partner engagement is actively pursued by the MAC through a number of different fora. A small, focussed panel comprising representatives from the Trade Union Congress, The CBI, British Chamber of Commerce and NHS Employers provides immediate reaction to the MAC's proposals and a sounding board for its ideas. A larger, more representative, corporate partner forum offers other groups the chance to interact directly with the MAC. This has a non-fixed membership, with all partners being invited to attend a forum in London each time the MAC is consulting on a specific issue. In addition, meetings for individual sectors such as engineering, health, education, social care, finance and IT and the creative sector are held when necessary. The MAC also visits partners in their workplaces to see specific jobs in action and attends a number of regional and national fora across the UK.
- 6.3 In addition, the MAC's work has an international element and effective relationships have been formed with the Foreign and Commonwealth Office and relevant authorities abroad such as the Organisation for Economic Co-operation and Development and the World Bank, as well as building a network of contacts in other countries.

Chapter 7 The secretariat

- 7.1 The MAC's small secretariat comprises representatives from different disciplines across the civil service and draws on experience of different government departments. Represented within the team are experts in the fields of economics, social research, policy development, corporate partner engagement and administrative skills. All economists are members of the Government Economic Service (GES) and are recruited following GES rules and processes. Similarly, the research officers are members of the Government Social Research Unit (GSR) and are recruited under similar professional guidelines to the GES and adhere to the GSR

Professional Standards Guidance. The secretariat's policy and administrative staff are all assessed against the professional skills for government standards and have been recruited from across Whitehall. The secretariat supports the committee and, more generally, helps to ensure that Government policy and strategy in relation to migration and employment is based on robust evidence and analysis.

- 7.2 The secretariat respects the MAC's independence at all time. It is responsible to the MAC and takes its lead from what the MAC wants it to do. However, the secretariat also has a responsibility to ensure that the MAC is operating with due regard to all relevant legislation, rules and procedures and in full compliance with the expectations incumbent upon it as a public body.

Chapter 8 Triennial review of the MAC

- 8.1 During Spring/Summer 2010, over 900 public bodies were subject to a cross-government review undertaken by government departments. This review included all non-departmental public bodies (NDPBs), including the MAC, along with a number of non-ministerial departments and public corporations. Following that review, a decision was taken to retain the MAC.
- 8.2 Under the Triennial Review programme, NDPBs should be reviewed at least once every three years. The MAC was one of the bodies to be reviewed in 2012. The review had two principal aims, as defined by the Cabinet Office:
- i. To provide a robust challenge of the continuing need for individual NDPBs – both their function and their form; and
 - ii. Where it is agreed that a particular body should remain as an NDPB, to review the control and governance arrangements in place to ensure that the public body is complying with recognised principles of good corporate governance.
- 8.3 At the time of writing the outcome of the review had not been published.

Chapter 9 Work of the Migration Advisory Committee in 2012-13

- 9.1 During 2012-13 the MAC's workplan consisted of the following three commissions from the Government.
- 9.1 Analysis of the Points Based System – List of occupations skilled at NQF level 6 and above and review of the Tier 2 codes of practice**
- 9.2 On 27 April 2012 the Minister for Immigration wrote to the MAC asking it to update the list of occupations that qualify for Tier 2 of the Points Based

System (PBS) to reflect the new Standard Occupational Classification (SOC) 2010 and also to undertake a review of the codes of practice used under Tier 2 of the PBS.

- 9.3 In response to the commission, on 30 September 2012 the MAC's main recommendations were:
- The list of NQF6+ occupations is updated by using the SOC 2010 classification.
 - With few exceptions, pay thresholds for experienced staff recruited via Tier 2 be set at the 25th percentile of full-time wages for that occupation. Pay thresholds for new entrants to NQF6+ occupations be set at the 10th percentile.
 - The presentation of the codes of practice is simplified in the form of a list of occupations and job titles rather than separate codes organised by industrial sector.
 - There be a change from a prescriptive list of advertising locations to a criteria based requirement.

- 9.4 The MAC published its report on this commission in October 2012. As part of the changes of the Immigration rules, on 6 April 2013 the Government updated the Codes of Practice for Skilled Workers in line with MAC recommendations.

9.2 Full review of the recommended shortage occupation lists for the UK and Scotland, a sunset clause and the creative occupations

- 9.5 On 20 August 2012 the Minister for Immigration commissioned the MAC to undertake a review of the shortage occupation list for the UK and for Scotland and to assess whether creative occupations should continue to be included within Tier 2 of the PBS. The MAC was also asked to provide advice on a standard period after which removal from the shortage occupation list should become automatic (a sunset clause). The MAC was asked to report to the Minister by 31 January 2013.
- 9.6 A call for evidence in relation to this commission was announced by the MAC on 18 September 2012. It reported to the Government at the end of January and made the following recommendations:
- that 28 job titles be added to the UK shortage occupation list and 27 job titles be removed from that list;
 - that 9 job titles be added to the Scotland shortage occupation list and no job titles be removed from that list;

- that creative occupations be retained under Tier 2 of the PBS by exempting them from the skill requirement and applying the current relevant Tier 2 codes of practice for creative occupations;
- that the current approach of regular reviews be retained instead of introducing a sunset clause. In addition, in further reviews for those occupations that have been on the list for a considerable period, the MAC would expect to see increasingly strong evidence that partners are making sufficient progress in tackling skill shortages in their sector.

9.7 The MAC published its recommendations on 15 February 2013. At the time of writing there had been no decision as to the sunset clause. However, the Government announced its acceptance of all other recommendations listed above on 6 April 2013, as part of the changes of the Immigration rules.

9.3 Migrant Seasonal Workers. The impact on the horticulture and food processing sectors of closing the Seasonal Agricultural Workers Scheme and the Sectors Based Scheme

9.8 On 1 August 2012 the Minister for Immigration asked the MAC to consider the impact on the horticulture sector of the closure of the Seasonal Agricultural Workers Scheme (SAWS) and the food processing sector of the closure of the Sectors Based Scheme, following the removal of the current employment restrictions on Bulgarian and Romanian nationals. The MAC was asked to report to the Minister by 31 March 2013.

The MAC concluded that:

- The closure of the SBS would have minimal impact on food processing.
- Following the closure of the SAWS, in the short-term the horticulture sector is likely to be able to source sufficient seasonal labour. However in the medium term, it is possible that labour shortages will arise.
- Labour shortages are likely to result in higher prices for horticultural produce and, at some point, consumers and retailers will turn to cheaper imports.

9.9 The report sets out three potential scenarios for the horticulture sector: to not replace the scheme and allow the sector to potentially contract; to replace labour with greater use of technology; or to implement a new scheme for non-EU migrants. Our research suggests that technological replacement is not feasible in the medium-term and that contraction of the sector would result in a small economic impact nationally, though the effects would be concentrated in some areas of the country.

9.10 The MAC submitted its findings to the Government on 31 March 2013.

Chapter 10 Budget and expenditure

- 10.1 The MAC's budget covers the secretariat administrative costs for 13 staffing posts, committee members' fees and external research. The budget is set by the Home Office and is managed by the secretariat, who record by date, topic and component, every item of expenditure.
- 10.2 As illustrated in Table 1, the MAC budget for 2012-13 was £796,000, of which £587,000 was allocated to secretariat salaries and £120,000 was allocated to the MAC's research programme. The amount of £56,000 was set aside for committee members' fees, of which approximately £42,000 was for the Chair, who is paid for two days work per week. A list of the research projects commissioned by the MAC and their costs are provided in Table 2 below.

Table 1: 2012-13 Budget and expenditure

	Budget (£)	Expenditure (£)	Difference (£)
Pay			
Secretariat salaries	587,000	563,300	-23,700
Chair salary	42,000	42,000	0
Committee members' fees	14,000	16,800	2,800
Non-pay			
Travel and subsistence	10,000	12,500	2,500
Research	120,000	111,100	-8,900
Staff training	10,000	6,000	-4,000
Conferences	4,000	700	-3,300
Hospitality	500	1,400	900
Couriers	500	200	-300
Other, e.g. telephony, stationery	8,000	10,000	4,000
Grand Total	796,000	763,900	-32,100

Notes to the accounts:

There was an overspend across the year on committee members' fees and travel costs. However, there were under spends in the MAC's research budget and also in secretariat salaries, which was predominately due to in-year staff changes in the secretariat.

Chapter 11 Research programme

11.1 The MAC commissions research from external consultancies or academics on an annual basis. Research is procured according to Home Office Science guidelines and tenders are evaluated by a panel of labour market experts and economists. The research we commission must meet at least one of the following two objectives:

- **Relevance to Committee work:** Does the research have relevance to existing commissions or anticipated commissions?
- **Improving the relevant knowledge base:** Would research fill gaps in the literature or obtain data or information that would not otherwise be available in relation to material that is of relevance to the Committee's work?

11.2 During 2012-13 the MAC commissioned three external research projects covering a fee value of around £111,100. Commissioned projects were:

- **Determinants of the composition of the labour force in low-skilled sectors of the UK economy (qualitative):** this project was awarded to Warwick Institute for Employment Research. Primarily using interviews, the aim of the project was to assess the determinants of the composition of the labour force in low-skilled sectors of the UK economy. The project examined employer preferences and the role of the minimum wage and human resource models, in addition to other determinants.
- **Determinants of the composition of the labour force in low-skilled sectors of the UK economy (quantitative):** this project was awarded to Frontier Economics, with the primary remit to update the existing empirical evidence relating to low-skill migration and to provide a quantitative background to its qualitative 'sister' project.
- **Analysis of the economic and labour market impacts of Tier 1 (investor) and Tier 1 (entrepreneur) migrants:** awarded to the National Institute of Economic and Social Research (NIESR), the aim of this project was to consider the impact that highly-skilled migration has on the UK economy and labour market.

11.3 The MAC also uses the research budget to acquire any data that are not publically available for use in reports. In 2012-13 the MAC spent £1,900 on data. Table 2 below details MAC research spending for the 2012-13 financial year.

Table 2: MAC research budget spending, 2012-13 financial year

Project	Cost (£)
Annual access to Incomes Data Services (IDS) Pay database	1,700
Detailed breakdown data from the “Destinations of Leavers from Higher Education Survey”	200
Determinants of the composition of the labour force in low-skilled sectors (qualitative)	49,400
Determinants of the composition of the labour force in low-skilled sectors (quantitative)	29,700
Economic and labour market impacts of Tier 1 (investor) and Tier 1 (entrepreneur) migrants	30,000
Total	111,100

Note: Figures do not sum due to rounding.

Appendix 1: Profiles of the Migration Advisory Committee

Chair

Professor Sir David Metcalf CBE

David Metcalf is Emeritus Professor at the Centre for Economic Performance at the London School of Economics and has been a visiting professor at Princeton University and the Australian National University.

He has been Chair of the Migration Advisory Committee (MAC) since its establishment in 2007. During this time MAC has produced twenty two major reports for the Government. These analyse, for example, the impact of immigration, limits on skilled worker immigration and labour shortages.

He was a member of the Low Pay Commission (LPC) from its formation in 1997 until 2007. The LPC recommends the level of the national minimum wage to Government. Presently he is a member of the Senior Salaries Review Body which recommends pay for judges, top military personnel, senior civil servants, and senior NHS managers.

Appointed *August 2007*

Reappointed *August 2010*

Members

Dr Martin Ruhs

Martin Ruhs is University Lecturer in Political Economy at Oxford University, where he is also Director of Studies in Economics at the Department for Continuing Education; Senior Research Fellow at the Centre on Migration, Policy and Society (COMPAS); and a Fellow of Kellogg College. Martin's research focuses on the economics and politics of international labour migration, with a strong international comparative dimension. Publications include 'The Price of Rights. Regulating International Labor Migration' (Princeton University Press, Aug 2013) and 'Who Needs Migrant Workers? Labour Shortages, Immigration and Public Policy' (co-edited with Bridget Anderson, Oxford University Press, 2010 and 2012).

Martin has provided policy analysis and advice for various national governments and international institutions including the International Labour Organisation (ILO), the International Organisation for Migration (IOM), the Global Commission on International Migration (GCIM), the United Nations Development Programme (UNDP), the European Commission and the Swedish Presidency of the European Union. In 2008-09, he was Specialist Adviser to an inquiry by the Economic Affairs Committee of the House of Lords into the economic impacts of migration. Martin is a regular commentator on migration issues in the media.

Appointed

December 2007

Reappointed

December 2010

Dr Jennifer C Smith

Dr Jennifer C Smith is Associate Professor in the Economics Department at Warwick University and Associate Researcher at the Centre for Competitive Advantage in the Global Economy (CAGE). Her research focuses on UK labour market dynamics. Her past work has looked at wage setting, local labour markets, pay comparisons, job satisfaction, nominal and real wage rigidity, unions, unemployment, and labour market mismatch. During 2012-13 Jennifer is acting as Academic Consultant at the Bank of England on a project assessing wage rigidity in the UK. Before moving to Warwick University, Jennifer worked for 5 years as a Bank of England economist, having previously lectured at Queen's University, Canada, and studied at the Universities of Oxford and Cambridge. Jennifer won a silver medal at the 2002 Commonwealth Games, rowing for England in the women's quadruple scull.

Appointed

November 2012

Professor Jonathan Wadsworth

Professor Jonathan Wadsworth of the Economics Department at Royal Holloway College, University of London has accumulated over 20 years' experience of academic-related work on labour market issues after studying first at the University of Hull and then at the London School of Economics.

His main area of interest is applied labour economics, focusing on issues of immigration, inequality, unemployment compensation schemes, job search, labour mobility, job tenure, wages, unions, health, economic inactivity and labour markets in Eastern Europe.

Professor Wadsworth co-developed the concept of workless households and its measurement and is the co-editor of The State of Working Britain volumes, a publication aimed at academics and policy makers, which highlights and comments on significant developments in the labour market.

Appointed

December 2007

Reappointed

December 2010

Professor Jackline Wahba

Jackline Wahba is Professor of Economics at the University of Southampton. She has vast experience of academic-related work on international migration and labour market issues. She leads the migration research in the ESRC Centre for Population Change at the University of Southampton. Her main areas of research are in applied labour economics and international migration in particular. Her work on return migration was one of the first to highlight the positive impact of temporary migration on entrepreneurship in the home country. She has wide experience in the impact of international migration, the determinants of return migration and the labour market experience of immigrants in host countries.

She has advised various national governments and international organisations including the World Bank, the Organisation for Economic Development and Co-operation (OECD), the International Labour Organisation (ILO), the International Organisation for Migration (IOM), the European Training Foundation (ETF) and the European Commission (EC).

Appointed

November 2012

Members of the MAC that stood down in the year 2012 - 2013

Dr Diane Coyle

Dr Diane Coyle attended the University of Oxford, and gained a PhD in Economics from Harvard University, graduating in 1985. She was an economist at the United Kingdom Treasury from 1985 to 1986. She later became European Editor of the Investors Chronicle and was Economics Editor of The Independent up to 2001.

Diane Coyle is Managing Director of Enlightenment Economics, an economic consultancy to large corporate clients and international organisations, specialising in new technologies and globalisation. She is also visiting Professor at the University of Manchester's Institute for Political and Economic Governance. She has written several books on economics. In addition, she is a member of the United Kingdom's Competition Commission and is a member of the BBC Trust. She serves on the Research Committee of the Economic and Social Science Research Council, and is a Fellow of the Royal Society of Arts.

Appointed

December 2007

Reappointed

December 2010

Term ended

November 2012

Appendix 2: Work the MAC was commissioned to do in 2012-13

Analysis of the Points Based System – List of occupations skilled at NQF level 6 and above and review of the Tier 2 codes of practice (27 April 2012)

On 27 April 2012 the Minister for Immigration commissioned the MAC to undertake a review of the Tier 2 codes of practice. Specifically, the MAC was asked to:

- update the list of occupations skilled to National Qualifications Framework 6 (NQF6) to reflect the new SOC 2010 classification;
- advise on the design of the Codes of Practice framework including:
- how the current codes could be simplified or streamlined;
- whether and how the consistency of approach across different sectors and occupations could be improved; and,
- how often and in what manner the Codes of Practice should be updated;
- advise minimum appropriate salary rate for occupations and, where necessary, separate occupation minimum salary for both new entrants and experienced employees; and,
- advise on what the appropriate advertising requirements under the Resident Labour Market should be.

The MAC was asked to report to the Minister by 30 September 2012 and launched a call for evidence for this commission on 15 May 2012.

Migrant Seasonal Workers. The impact on the horticulture and food processing sectors of closing the Seasonal Agricultural Workers Scheme and the Sectors Based Scheme (1 August 2012)

On 1 August 2012 the Minister for Immigration commissioned the MAC to undertake a review of the impact of ending the restrictions on A2 workers. Specifically, the MAC was asked the following question:

“The current transitional restrictions on A2 workers will be removed at the end of 2013 and the current sector-based schemes for A2 workers (covering agriculture and food processing) will then close. What impact across the whole of the UK will this have on the sectors currently covered by the sector-based schemes?”

The MAC was asked to report to the Minister by 31 March 2013 and launched a call for evidence in relation to this commission on 22 October 2012.

Full review of the recommended shortage occupation lists for the UK and Scotland, a sunset clause and the creative occupations (20 August 2012)

On 20 August the Minister for Immigration commissioned the MAC to undertake a review of the shortage occupation list for the UK and for Scotland and also to assess whether creative occupations should continue to be included within Tier 2 of the points-based system. Specifically, the MAC has been asked the following questions:

1. In which occupations or job titles skilled to at least NQF level 6 is there a shortage of labour that it would be sensible to fill using labour from outside the EEA and which merit inclusion on the shortage occupation list (SOL)?
2. The Government has indicated that it wishes to remove from the SOL all occupations that have been on it for more than a given period, in principle two years, regardless of shortages affecting the sectors concerned. This reflects the fact that inclusion on the SOL is intended to provide temporary relief while measures are taken to mitigate the shortages. The MAC is asked to advise on:
 - a standard period after which removal from the SOL should become automatic and whether exceptions should be permitted; and,
 - whether a transitional period should be accorded to those occupations currently on the SOL and which have exceeded the advised standard period.
3. In advising on question 2, the MAC should have regard to time already spent on the SOL and mitigation measures taken, plans for further mitigation measures and the business impact of removal from the SOL.
4. Tier 2 is now reserved for occupations skilled to at least NQF level 6 and in general the SOL should be aligned with that policy. For those job titles currently on the SOL which are not skilled to NQF level 6, is there a shortage of labour that it would be sensible to fill using labour from outside the EEA and, a case for retaining them on the list?

If so, which pay limit should be applied in the relevant codes of practice for those job titles which the MAC recommends for an addition on the SOL?
5. The government has retained within Tier 2 the following creative occupations in the arts and design field which are not skilled to NQF level 6: artists, authors, actors, dancers and designers. Does the MAC see a case for continued inclusion of certain creative occupations in Tier 2 and, if so, on what terms?

The MAC was asked to report to the Minister by 31 January 2013 and launched a call for evidence in relation to this commission on 18 September 2012.

Appendix 3: Migration Advisory Committee reports and publications (in reverse chronological order)

Migrant Seasonal Workers. The impact on the horticulture and food processing sectors of closing the Seasonal Agricultural Workers Scheme and the Sectors Based Scheme **(May 2013)**

Full review of the recommended shortage occupation lists for the UK and Scotland, a sunset clause and the creative occupations **(February 2013)**

Analysis of the Points Based System – List of occupations skilled at NQF level 6 and above and review of the Tier 2 codes of practice **(October 2012)**

Limits on Migration – Limit on Tier 2 (General) for 2012-13 and associated policies **(28 February 2012)**

Analysis of the Impacts of Migration **(January 2012)**

Review of the minimum income requirement for sponsorship under the family migration route **(November 2011)**

Review of the transitional restrictions on access of Bulgarian and Romanian nationals to the UK labour market **(November 2011)**

Analysis of the Points Based System: Settlement rights of migrants in Tier 1 and Tier 2 **(November 2011)**

Fourth review of the recommended shortage occupation lists for the UK and Scotland **(September 2011)**

Analysis of the points-based system – revised UK shortage occupation list for Tier 2 comprising jobs skilled to NQF level 4 and above **(March 2011)**

Report on analysis of the points-based system – list of occupations skilled to NQF level 4 and above for Tier 2 **(February 2011)**

Limits on Tier 1 and Tier 2 for 2011/12 and supporting policies **(November 2010)**

Analysis of the Points Based System: London Weighting **(August 2010)**

Third review of recommended shortage occupation lists for the UK and Scotland **(March 2010)**

Skilled, shortage, sensible: Review of the Methodology **(March 2010)**

Second review of recommended shortage occupation lists for the UK and Scotland **(October 2009)**

Analysis of Tier 2 and dependants under the Points-Based System **(August 2009)**

Analysis of Tier 1 under the Points-Based System **(December 2009)**

Review of transitional measures for A8 nationals (**April 2009**)

The labour market impact of relaxing restrictions on employment of A2 nationals (**December 2008**)

First recommended shortage occupation lists for the United Kingdom and Scotland (**September 2008**)

Identifying skilled occupations where migration can sensibly help to fill labour shortages (**January and February 2008**)

Migration Advisory Committee Report
July 2013
www.ukba.homeoffice.gsi.gov.uk/mac

© Crown copyright.
ISBN: 978-1-78246-173-9