



MIGRATION ADVISORY COMMITTEE

Call For Evidence

Salary Threshold and Points-Based System Commission



Migration Advisory Committee

1st Floor Peel Building

2 Marsham Street

London

SW1P 4DF

<https://www.gov.uk/government/organisations/migration-advisory-committee>

1. The salary threshold commission

- 1.1. On 24 June 2019, the Home Secretary commissioned the Migration Advisory Committee (MAC) to advise on the future system of salary thresholds and the level at which they could be set.¹
- 1.2. The existing salary to be paid for an occupation is set at the 25th percentile of the full-time earnings distribution measured using ASHE, or £30,000, whichever is higher. This leads to a wide range of thresholds depending on the occupation, for example SOC² 115 Chief executives and senior officials have an experienced worker rate of £65,100 and SOC 2121 Civil Engineers have an experienced worker rate of £33,300.
- 1.3. There are numerous exceptions to this including:
 - New Entrants are subject to a salary threshold of £20,800, or the 10th percentile of the occupation whichever is higher.
 - The appropriate rate set for 24 (largely) public sector occupations, including secondary school teachers in specific subjects, nurses, paramedics and medical radiographers, are taken from national pay rates e.g. NHS pay bands.
 - Pre-registration nurses and midwives are paid on the NHS Agenda for Change Band 3 rates subject to certain conditions.
 - There are some occupations that have different appropriate rates applied depending on certain characteristics. E.g. Biological scientists are subject to Agenda for Change thresholds if they work in the health sector and architects have different thresholds depending on the stage of their training.³
- 1.4. In September 2018, the Migration Advisory Committee (MAC) published its report looking at EEA migrants in the UK. Within this report the MAC made a range of recommendations for the future immigration system including the recommendation to “Maintain existing salary thresholds for all migrants under Tier 2 (General)”.
- 1.5. In the December 2018 White Paper on the UK’s future skills-based immigration system⁴, the Government accepted most of the MAC’s recommendations, but the salary threshold recommendation was only partially accepted. The Government is engaging with businesses and employers as to what level salary thresholds should

¹ <https://www.gov.uk/government/publications/migration-advisory-committee-welcomes-salary-threshold-commission>

² ONS Standard Occupation Classification Hierarchy

³ Details of the current salary thresholds can be found here:

<https://www.gov.uk/guidance/immigration-rules/immigration-rules-appendix-j-codes-of-practice-for-skilled-work>

⁴ <https://www.gov.uk/government/publications/the-uks-future-skills-based-immigration-system>

be set at. In its commissioning letter to the MAC, the Government has now asked the MAC to further look into the issue of salary thresholds.

1.6. The commission sets out a range of potential options when setting a threshold for the MAC to consider including a single minimum threshold with some flexibility, a going rate for roles or a combination of the two. In addition, the MAC is asked to consider the impact salary thresholds will have on a range of areas including:

- annual net migration;
- the resident workforce;
- migrant workers;
- the supply of labour;
- public finances; and
- the effects on the economy.

1.7. Other areas the MAC has been asked to consider include:

- potential regional variation in salary thresholds;
- potential exceptions to salary thresholds including jobs that are on the Shortage Occupation List;
- how to deal with jobs of high public value but not high wages;
- what allowance to make for new entrants;
- how non-cash benefits and allowances and equity should be taken into account; and
- what allowance, if any, to make for part time workers.

1.8. The future skills-based immigration system White Paper accepted the MAC recommendation to make Tier 2 (General) open to RQF 3 and above. As such, the MAC is considering all job titles from RQF 3 and above to ascertain the appropriate level of salary thresholds.

1.9. The evidence provided by stakeholders is very important in helping to assess the issues identified above. Through the online form this call for evidence sets out the sort of information that the MAC will find most helpful to help inform its response to the commission.

2. The ‘Australian-style’ points-based system (PBS) addendum

- 2.1. On 24 July 2019, Boris Johnson was appointed as the new Prime Minister of the UK. In his first statement to Parliament, the PM declared that one of his priorities was to review the current immigration system and look to introduce an ‘Australian-style’ points-based system (PBS) after Brexit. He announced that he would ask the MAC to carefully consider how the ‘Australian-style’ system might work in the UK.
- 2.2. Following this announcement, the Home Secretary officially commissioned the MAC on the 3rd September 2019, to research and provide evidence-based recommendations on how this system could work in the UK⁵. The MAC will consider how points could be awarded to prospective migrants for different attributes, such as educational qualifications, language proficiency, work experience and willingness to work in areas or sectors with a shortage of workers. The salary thresholds will also be considered in the context of this immigration system.

3. Call for Evidence

- 3.1. This call for evidence seeks views and evidence from anyone with relevant knowledge, expertise or experience to help inform the MAC response. We strongly welcome views from a wide range of interested parties from all parts of the UK including: businesses, employers, recruiters, trade unions, academics, think tanks, representative bodies, government departments, etc.
- 3.2. The questions outlined in the online form provide a general indication of the information the MAC would find most useful, but respondents of representative organisations may provide the MAC with other relevant information. The easiest method to provide additional information is through the online form. Responses should be evidence-based and where possible should provide data and/or examples to support your answers.
- 3.3. A preview of the online form questionnaire can be found here: **INSERT LINK**. Annex A is for those providing views as individual organisations and Annex B is for those providing views as representative or member organisations. Please note that these documents are for the purposes of gathering information only, and evidence must be submitted via the online form, which is detailed below.

⁵ Insert website link here (when set up)

4. Submitting Evidence to the MAC

- 4.1. Please use the online form to submit your evidence. The link to the sign-up page can be found here:

https://www.homeofficesurveys.homeoffice.gov.uk/s/mac_latestcommissionsignup/

Once you have entered your email address to sign up, you will receive an email with a link and password to access the online form.

- 4.2. The work of the MAC is evidence-based, and we intend to engage with a wide range of experts and interested parties within the short time available, to extend and clarify our knowledge. By responding to this call for evidence you will contribute to the range of evidence that we will consider. Our work will be helped by receiving the best quality evidence from the widest range of people and organisations.

The deadline to submit your evidence is 5 November 2019.

- 4.3. To support the analytical evidence, the MAC Secretariat will be arranging meetings and visits with stakeholders during and following the call for evidence period. We will also host sector-based meetings as well as engage on a regional level - details of which will be published on our website in due course.

- 4.4. **Please note: details of your evidence on job titles and salaries may be published as part of our final report. All identifying and personal information will remain confidential and your data will be held in accordance with GDPR. The MAC is subject to the Freedom of Information (FOI) Act and we would assess confidentiality accordingly to the FOI rules on exemptions. A note on how your personal data will be processed is outlined in Annex A.**

If you have further questions, contact us at:

MAC@homeoffice.gov.uk

Telephone: 020 7035 1764

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Annex A

MAC Call for Evidence online form assessing Salary Thresholds and views on the PBS - processing of personal data

- A1. This notice sets out how the Migration Advisory Committee (the processors and controllers) will use your personal data for the purposes of assessing the range at which salary thresholds should be set, which characteristics should be prioritised in a potential future points-based immigration system and explains your rights under the General Data Protection Regulation (GDPR) and the Data Protection Act 2018 (DPA).

Your data (data subject categories)

- A2. The personal information relates to businesses, sector bodies/representatives, government departments including devolved administrations and local authorities, think tanks, academic/higher education establishments and others that may wish to respond to the Call for Evidence online form.

The data that that will be collected (data categories)

- A3. The information may include organisation name, location, email address, as well as opinions on salary thresholds for recruiting migrant workers and views surrounding a points-based immigration system. It is possible that respondents may volunteer additional identifying information about themselves or third parties.

Legal basis of processing

- A4. The processing is necessary for the performance of a task carried out in the public interest. This requires evidence and opinion data to develop good effective proposals and recommendations to the government of potential future salary thresholds and the range at which they could be set and characteristics which should be prioritised in an 'Australian-Style' points-based future immigration system. The MAC may use the contact details (email address) provided to contact respondents to add their details onto the MAC stakeholder database, for future research and to provide updates on work of the MAC, but this is optional.

Special category data

- A5. Although not being requested, it is possible that this information will be processed if volunteered by the respondent. If such a submission of special category of personal data, including that of third parties, we will take all necessary steps to delete, anonymise or pseudonymise that data before any publication takes place.

Purpose

- A6. Any personal information will be processed for the purpose of obtaining evidence from businesses, and representations from organisations and companies, about; salary thresholds, the Australian-style PBS - including opinion data, to enable the MAC to review the current salary thresholds and to inform the government on the future immigration system.

Who we may share your responses with

- A7. Information provided to us in response to the online form and consultations may be published or disclosed in accordance with the access to information regimes. These are primarily the Freedom of Information Act 2000 (FOIA) and the Data Protection Act 2018 (DPA). It would be helpful if you could explain why you regard the information as confidential. If we receive a request for disclosure of the information we will take account of your explanation but cannot give an assurance that confidentiality can be maintained in all circumstances.
- A8. The MAC are an independent, non-departmental public body that advises the government on migration issues. A final report of the recommendations will be made to the Home Secretary in January 2020. If a submission of special category of personal data including that of third parties, we will take all necessary steps to delete, anonymise or pseudonymise that data before any publication takes place.

How long we will hold your data (retention)

- A9. Personal information will not be published but will be retained up until the period of reviewing the salary thresholds has concluded. If there is ongoing interest in the commission and topic, we will need to retain the data in case of further analysis.

- A10. Your rights;

- You have the right to request information about how your personal data are processed and to request a copy of that personal data.
- You have the right to request that any inaccuracies in your personal data are rectified.
- You have the right to request that your personal data are erased if there is no longer a justification for them to be processed.
- You have the right, in certain circumstances (for example, where accuracy is contested), to request that the processing of your personal data is restricted.

How to submit a Data Subject Access Request (DSAR)

- A11. If you would like to submit a data access request to request information about your personal data, please contact the MAC:

MAC@homeoffice.gov.uk

Telephone: 020 7035 1764

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1st Floor Peel Building
Home Office
2 Marsham Street
London
SW1P 4DF
United Kingdom

Complaints

A12. If you have any concerns or complaints about the use of your personal data, please contact the Data Protection Officers at:

dpo@homeoffice.gov.uk
Telephone: 020 7035 6999

Or write to:

Office of the DPO
Home Office
Peel Building
2 Marsham Street
London
SW1P 4DF

A13. If we are unable to address your concerns to your satisfaction, you can make a complaint to the Information Commissioner, the UK's independent regulator for data protection. The Information Commissioner can be contacted at:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF
0303 123 1113