

Have Your Say on UK Business Immigration – MAC Launches Call for Evidence on Shortage Occupations

In June 2018, the government commissioned the Migration Advisory Committee (MAC) to carry out a full review of the shortage occupation list (SOL). The MAC is now seeking views and evidence from anyone with relevant knowledge, expertise or experience in relation to “hard-to-fill” roles, to help inform its response to the government.

This is a separate exercise to the government’s anticipated immigration white paper on post-Brexit immigration on which [we have commented](#). However, given the possibility of future skills shortages, it is highly likely that evidence gathered by the MAC on the SOL will be taken into consideration in determining post-Brexit immigration policy. Crucially, the MAC wants to hear about all role shortages, including those starting at RQF Level 1 (GCSE grades D to G) and above. This is an important opportunity for any affected businesses to analyse their role shortages and voice their concerns (not just those that use Tier 2 of the Points Based System to sponsor non-EEA workers at graduate level or above). This evidence is also likely to be highly relevant for inclusion in any response to the immigration white paper at a later date.

Roles included on the SOL are considered to be in shortage either across the UK or in Scotland only and are exempt from the Resident Labour Market Test (RLMT) under the Tier 2 General visa category (as well as the minimum salary threshold when applying for indefinite leave to remain).

In order for a role to be deemed in shortage and therefore included on the SOL, it must meet all of the following criteria:

- Show demonstrable national shortages that cannot be filled from within the domestic labour market
- Be skilled to the required level set by the Home Office
- Demonstrate that it is sensible to seek to fill vacancies with migrant labour from outside of the EEA

The MAC is asking businesses to complete an [online questionnaire](#). The deadline for responding is 6 January 2019. The questionnaire asks for specific information relating to nationwide skill shortages rather than regional shortages including job title, skill level, salary, reasons for shortages and measures taken to address them, but respondents may provide any information that they believe is relevant. Responses should be evidenced-based and supported by data and or examples – anecdotal evidence will carry very limited value. If you would like any guidance on responding to this call for evidence or how it relates to the UK’s post-Brexit immigration policy, please contact Annabel Mace or Lisa Roberts.

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