

Circulation: NFU Online

Date: 20 January 2020

Ref: Immigration – General Update

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## Current Information on the Future Immigration System

Amid the Covid-19 crisis, the NFU have been clear in engagement with Government that the very pressing issues being created, are such that further engagement on future immigration plans with our members will be difficult. For this reason, a delay to the ending of free movement is now even more important, as well as a postponement of related engagement and consultation exercises.

### Introduction

On 19 February 2020, the government published a detailed policy statement on its plans for Immigration from 1 January 2021, when freedom of movement post Brexit will end. This briefing sets out key aspects of what was announced and what it means for our industry. The full policy statement is available [here](#).

### What did the government announce on skilled immigration?

The government has said that it will press ahead with a points based system (PBS) for medium to high skilled workers. Under this PBS, there would be no cap on numbers, but workers will need a minimum of 70 points to come to the UK for work, made up from the following characteristics:

Characteristic	Points	Tradeable
Offer of Job	20	No – these criteria are mandatory i.e. the full 50 points must be scored for each of these three sections.
Job at appropriate skill level	20	
Speaks English at required level	10	
Salary of £20,480 (min) - £23,039	0	Yes, as long as the worker can score at least 20 points from these criteria they can qualify for entry.
Salary of £23,040-£25,599	10	
Salary of £25,600 or above	20	
Job in shortage occupation	20	
PHD relevant to the job	10	
PHD in STEM subject relevant to the job	20	

NB: Only the actual salary will count, other benefits e.g. accommodation, will not. There will however be a reduction to the salary threshold of 30% for 'new entrants.'

The government will also look to attract exceptional talent (e.g. world leading scientists, entrepreneurs, investors) by expanding the existing sponsorship scheme for such talent to cover both EU and non EU workers. This is referred to as the Global Talent Visa. They will also look to develop a separate unsponsored PBS exceptional talent route to complement it.

### Will Agriculture and Horticulture businesses be able to access workers under the points based system for medium to high skilled workers?

Many roles do not command enough earnings for this route to be helpful. Without a PHD, the only way a worker who is not a new entrant would mathematically be able to achieve 70 points if their salary was below £25,600, would be if the role was recognised as a shortage occupation role. As raised in previous lobbying, there are currently no agricultural or horticultural roles recognised as shortage roles

by the government. Since we know from our survey data that across all sectors, 55% of workers in our industry earn less than £25,000, **the majority of businesses will be unable to get workers through the new points-based system as matters stand at the moment.** It is therefore vital that we get recognition of our shortage roles going forward.

As well as earnings levels being an issue, not all roles in our sector are recognised by government as meeting the appropriate skill level for this entry route and this will further restrict its viability for our industry:

Meet skill level	Do not meet skill level
Managers and proprietors in agriculture and horticulture, herd managers, livestock breeders, pig breeders, horticultural foreman, nursery supervisor, horticultural technician, nursery stock production technician/ specialist, some managers in animal husbandry, sheep shearers and chicken sexers*	Weighers, graders, sorters, packers, agricultural machinery drivers/ tractor drivers, agricultural/farm workers, farm labourers, herdsman and shepherds.

### What about lower skilled roles?

The government has said there will be no route of entry for low skilled migration. This is deeply concerning given that many roles fall outside of the PBS the government have set out. The NFU have repeatedly highlighted that as a strategically important industry, we need workers at all skill levels and this need applies to both permanent and seasonal labour. A more nuanced approach is needed to the issue of skills and this is a point that we will continue to press on behalf of our members.

### What about the manifesto commitment to expand the seasonal worker pilot scheme for edible horticulture to 10,000?

The announcement that there will be no route for low skilled workers does not affect the pilot. Expansion to 10,000 will occur this year. This is welcome confirmation and a partial NFU win but our engagement with government continues as we press for further increase to permit numbers to meet demand for 70,000 workers by 2021. In addition, we will continue to engage with government on our other asks for the pilot, not least expanding the scheme beyond edible horticulture.

### What did the government say about application processes and applicable fees?

This can be summarised as follows:

- The Immigration Skills Charge paid by the business sponsoring the worker and the Immigration Health Surcharge paid by the migrant will be retained.
- There will be a streamlined simpler, speedier visa process with a digitised system.
- The government expect to open key routes from Autumn 2020 in advance of 1<sup>st</sup> January 2021

### What will happen now the government has made its announcement and what are the NFU doing?

The government will follow up their policy statement with draft primary legislation in the next few weeks, with further legislation after this point to provide further detail. They have indicated that they intend to engage further with business as the details are developed. To date, we have been in regular contact with both Defra and the Home Office and will seek to use all available engagement opportunities to impress upon government the need for our sectors labour requirements to be adequately addressed by the future immigration system.

**Are there any key steps that I can take if I already employ EU workers?**

Yes, employers who already have EU nationals working for them would be wise, particularly in light of this latest development, to encourage and assist workers in applying to the EU settlement scheme. This scheme is designed to protect the rights of EU nationals currently living or who come to live in the UK before 31 December 2020. The deadline for applications is 30 June 2021. However, given both employers and employees will wish to plan ahead, it will make sense in most cases to apply as soon as possible. See [here](#) for more details about the scheme and how workers can apply.