

# Settlement of Migrants under Tiers 1 and 2 of the Points Based System

## Response of the Association of School and College Leaders

- 1 The Association of School and College Leaders (ASCL) represents 15,000 members of the leadership teams of maintained and independent schools and colleges throughout the UK. This places the association in a unique position to consider this from the viewpoint of the leaders of both secondary schools and colleges.
- 2 Thank you for the opportunity to comment on these considerations.
- 3 In general, the association would oppose any change to the present arrangements restricting rights of settlement of these migrants. If there is to be such restriction, it should not be retrospective, that is the rules that will apply at the end of five years should be known to migrants before they make their decision to move to the UK. Ideally, the test to be applied should not be any more onerous than that applied at the time of entry (ie the migrant is still making a contribution and still working in an occupation that was in shortage at the time of entry).
- 4 This association's concern is mainly with the impact on those employed as teachers, mainly in the public sector, and mainly on salaries close to the national average.
- 5 It is hard to demonstrate an immediate economic benefit of such workers, as their contribution pays back in the long term in the improved performance of those they teach, which may take ten years to begin, but will then continue for decades.
- 6 As teachers' salaries are relatively low, the cost of resettlement to the UK may take years to recover, meaning that for at least some a five year period would not be attractive.
- 7 Many migrants teachers move away from the within the five year period, a pattern more common in the case of young people without families. However, for others part of the attraction of taking such work in the UK is the opportunity to settle permanently or for a more extended period.
- 8 If the option of staying on is removed, or uncertain then some of those who now present themselves as candidates for skilled work in shortage occupations will not do so. The shortage will still exist, so the likely effect would be to reduce the average quality of applicant. That would not be helpful to the employers concerned or the UK economy.
- 9 If a higher threshold is set for settlement than for initial entry this should be known at the start, before the migrant decides to come to the UK, to provide some certainty.

- 10 There should not be an assumption that either academic qualification or salary should have progressed in five years. The former may not be possible for those with already high qualification or for those who need to devote themselves to their work rather than to study. The latter is not under the control of the employee, and in the case of the public service not under the control of the employer either. For example, at present there is a general salary freeze in the public service. And employers in most maintained schools are obliged to stick to the School Teachers' Pay and Conditions Document which constrains what they can pay.
- 11 The value of teacher does increase over time, especially in the first few years of their work as teachers, and this is reflected in a short incremental scale. There would be no value in sending away a migrant teacher after five years, who was by then experienced and highly competent, to be replaced by an inexperienced and less effective new migrant.
- 12 Professional bodies in some industries may be able to assist with a process of determining which migrants should be allowed to settle. It is likely that most would be uncomfortable with this role, and at least some would not be willing to take it on. In teaching there is no such body that is applicable to the largest group, as the present government has announced the abolition of the General Teaching Council for England. Its equivalents for the devolved administrations and the IfL for FE teachers might be capable of discharging this role, but as noted above they might well decline to undertake it.
- 13 The most able and flexible people can sell their skills in other countries, and at least some will do so if they are faced with uncertainty or are made to feel unwelcome in Britain. This would be a likely consequence of moving to limit the right of migrants to settle, and that would in turn reduce the talent available to the UK economy. ASCL would therefore counsel against such a change.
- 14 I hope that this is of value to your consultation, ASCL is willing to be further consulted and to assist in any way that it can.

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