

## British Pharmacological Society

### Response to the UK Border Agency 'Limits on Non-EU Economic Migration' Consultation

The following provides edited excerpts from the BPS response to UKBA's consultation on limiting non-EU Economic Migration to the United Kingdom. Questions are in black italics, BPS answers in blue.

More details on the consultation can be found at the UKBA website:  
[www.ukba.homeoffice.gov.uk/aboutus/consultations/current](http://www.ukba.homeoffice.gov.uk/aboutus/consultations/current)

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*Do you agree that operating a first come first served system for skilled migrants available to individual sponsor employers will be the fairest and most effective approach?*

No

*Please give your reason(s):*

The British Pharmacological Society (BPS) represents around 2700 pharmacologists from over 60 countries working in academia, industry and the National Health Service. Currently, the UK is a world leader in pharmacology, both in academia and industry. However retaining this position is dependent on the ability of organisations to recruit highly-skilled scientists to fit very specific niches.

Science is an international pursuit and relies on the free interchange of knowledge, expertise and people across the globe. Erecting barriers to halt this exchange would be detrimental not only to science, but also to the positive outcomes that spring from having a strong science base, for example the development of a highly skilled workforce and of the science-based industry (eg pharma and biotech).

Pharmacologists play a fundamental role in the discovery and development of new drugs, a field in which the UK excels, and so are vital to the economic and academic success of the UK. As such the BPS believes that 'elite scientists' should be excluded from the cap in a manner comparable to the exclusion of elite sportspeople and ministers of religion. There could be a role for learned Societies, such as the BPS, in providing guidelines for the criteria of an elite scientist. Examining an applicant's publications record (looking at the number and quality of publications) might be one way to distinguish top quality scientists. A system similar to that used in RAE 2008 and REF 2014 might be a useful way of quantifying

the quality of potential migrant scientists. However this is achieved, we suggest that scientists should be placed in a different category to other migrants.

Whilst we understand that Tier 4 (Students) is not being discussed in this consultation, it is important to recognise the context of a career in scientific research in which many people, from undergraduate and PhD students through post-doctoral researchers (and the equivalent in industry) to senior staff work in different countries throughout their career. Placing a cap on this movement would have a negative impact on the quality of students and researchers that UK universities can recruit. It would also reduce income from overseas students.

The BPS believes that whilst a first come first served system might work well for less specialised disciplines it would not be suitable for narrower specialities, such as pharmacology, as it would be unlikely to identify people with the niche skills needed for particular jobs in science departments at universities and in the pharmaceutical industry. Furthermore, as this approach is supply-, rather than demand-, driven it would not allow academia and industry to recruit the highly-specialised people that they need.

Universities often recruit new staff who are involved with novel, exciting, cutting-edge areas of research. These scientists may come from one of only a small number of groups *in the world* doing this particular research. To remain among the top universities in the world, British universities (and companies) must be able to recruit such staff as they are needed based on their unique skills and qualifications, not on a quota.

The limits on UK migration have already affected one of the BPS's schemes. Our Post-Doctoral Support fellowship is intended to enable a recently qualified post-doctoral scientist from overseas to work in a UK laboratory for up to one year while other sources of longer term support are being obtained. As the favoured candidate, from China, could not get a visa to move to the UK the fellowship was instead given to a worker already based in the UK.

*Do you think the Government should provide for additional points to be scored for Higher level English language ability?*

As English is the international language of science, and the most respected journals are published in English, it is unlikely that a highly respected senior academic would have poor English skills, making this irrelevant at this level. We would welcome a stricter English language test at a more junior level, as it we have noted that graduate students and junior postdoctoral researchers sometimes arrive in the UK with minimal knowledge of the English language.

*Do you think the Government should provide for additional points to be scored for shortage skills?*

Whilst we welcome the opportunity to recruit workers in areas in which there is a shortage, it is difficult to see how these shortage lists will be drawn up for niche skills/experience.

*Do you agree that Tier 1 Investors should be excluded from the annual limit? Please give your reasons below:*

We would suggest that elite scientists are as valuable to the economy as investors, if not more so, and so should be excluded from the annual limit.

*Do you agree that the Intra-Company Transfer route should be included within annual limits?*

No. We believe that intra-company transfers are a good opportunity for both the company and the employee and as such we would like to avoid restricting this flow of skills and resources. They allow companies to share expertise across the globe and to learn from different ways of doing things. The pharmaceutical industry is a global business that has always moved its key staff from one country to another as their careers have progressed. If this was prevented in the UK then we would become even less attractive than we are now as a country in which to invest in research facilities.

*Do you agree that dependants should be included towards the limit?*

No. To continue to recruit the brightest and best people to the UK we must surely make the UK an attractive place to work, and therefore allow migrants to bring dependants with them. It is difficult to see how a cap on dependants would contribute to this stated aim.

*What, if any, do you think would be the advantages of merging the Shortage Occupation and Resident Labour Market test routes?*

It might be possible for the UKBA to work with professional bodies, such as the BPS, and with industry and academia to draw up shortage lists although it is not always clear that there is shortage until a job is advertised and the number and quality of the applicants can be seen.

*Do you believe that the Government should extend sponsor responsibilities in these ways (as described in the consultation document)?*

No. Whilst we feel that it is important for sponsors to take responsibility for their employees we would be wary of increasing the amount of work and bureaucracy involved in hiring migrant workers to avoid deterring small companies and institutions from hiring the best people for the job. Whilst major, multinational pharmaceutical companies often have large HR departments with the expertise on how to deal with the UK immigration system, smaller companies, which have similar requirements for highly skilled specialist workers to bigger companies, will not be able to use the system to recruit the people that they need. This will put them at a competitive disadvantage to both larger companies and also companies in other countries with more relaxed immigration rules. These companies may need help, possibly from a government department, to deal with the immigration system and this may then deter them from hiring the best candidate for the job.

Whilst we agree that it is important that migrant workers should not adversely affect public services and the wider society, foreign nationals working within science are unlikely to have negative impacts on these areas and in fact contribute to our public services and society, for example by developing new drugs and working for the National Health Service.

*If a supply of migrant workers is no longer readily available, what action will you take to train and source labour from the domestic market?*

Whilst the BPS believes that jobs should be given to UK workers where possible, in the highly specialised areas of science in which our members work there are often very few people in the world with the necessary expertise for a particular job.

It takes an absolute minimum of three years undergraduate study to train a pharmacologist (dependant on there being enough students educated to 'A' level standard in the relevant subjects). This needs to be followed by four years PhD training and at least 3 years of subsequent post-doctoral work to become a recognised expert. Whilst universities and industry are more than prepared to continue to train the needed individuals, it takes a long time and relies on a ready supply of students choosing to study these subjects.

Recruitment of migrant scientists in Pharmacology is almost exclusively at the senior post-doctoral level with 10 or more years experience post-PhD. Universities and research intensive companies rely on the international market to recruit high level employees with particular niche skills or experience which simply do not exist in the UK.

For example, the President of the BPS recently chaired interview panels for positions which could not be filled by UK/EU workers:

- In one instance, a university was recruiting for a Professor of Neuroscience. No applicants from the UK/EU were shortlisted and as the best candidate was not suitable they decided not to fill the position
- For another academic position, no one from the UK/EU was shortlisted and the position went to a candidate from Hong Kong as the specialised knowledge required was not present in the UK/EU.

Within this discussion it is also important to bear in mind the current climate. The forecast decreases in science funding will make the science industry in the UK less competitive on the global stage and given the weakness of the pound against both the dollar and the euro, British salaries seem low in comparison to the USA and Europe making them less attractive to foreign workers.