

## **UKCISA SUBMISSION TO THE HOME AFFAIRS COMMITTEE'S IMMIGRATION INQUIRY**

The UK Council for International Student Affairs is the UK's national advisory body serving the interests of international students and those who work with them.

UKCISA's membership includes every university in the UK, the majority of publicly funded higher and further education colleges which are active internationally, a number of independent schools and private colleges and a range of specialist and representative bodies.

Its President is Lord Karan Bilimoria and the Chair of its Board of Trustees is Prof Koen Lamberts, President and Vice-Chancellor of the University of York.

Given UKCISA's remit and area of expertise, this submission focusses exclusively on international students, both non-EU/EEA and, in the future, those from the EU.

### **Summary and recommendations**

There is clear evidence of the huge economic, political, commercial and diplomatic importance of international students and that the public do not see them as 'migrants'.

There was evidence of abuse in the past but action by government and the sector in recent years has ensured this has largely been eradicated and that those students, who now come to the UK, leave when appropriate visas have expired. They make therefore virtually no net difference to levels of net migration.

The system, particularly the detail of the rules, has grown exponentially in recent years. It is complex, costly, confusing and certainly unwelcoming to even the 'brightest and the best' applicants, has resulted in a significant downturn in the number of non-EU students choosing the UK, and is no longer proportionate or justified.

The worst possible scenario, for students and for the UK, would be to load the current Tier 4 requirements and procedures onto every EU student in addition to those from the wider world. EU students (and their families) also need to be urgently reassured on a number of immediate issues and concerns (see annex).

At a time when the government needs to review, possibly quite radically, its approach to immigration for EU citizens, this could be a timely and ideal opportunity to reformulate its overall policy approach to all international students, both EU and non-EU, exclude them from net migration policies and recognise them as a special category of particular economic importance to a 'global UK'.

## KEY POINTS AND DETAIL

The arguments surrounding international students and migration (and especially recent attempts to reduce net migration) have been extensively rehearsed in recent years and need not be repeated here at length.

We would, however, wish to reiterate the following points which are clearly supported by evidence and now largely recognised and accepted.

### Value of international students to the UK

- According to the government's International Education Industrial Strategy of 2013, the tuition fees and living expenses of international students (both EU and non EU) contributed (in 2011) £13.6bn to the UK economy. This will have grown since then – but, for the reasons given, not to its full potential.
- That income generates approximately 240,000 jobs (170,000 from higher education students alone) both in the education sector and more widely in local communities – as so much of the international student spend is not just on fees but on living expenses. They are not just therefore of (financial) value to educational institutions but also to economies and communities throughout the UK.
- What is more, reports by Oxford Economics and others on the Exeter, London and Sheffield regions have shown very substantial net economic benefits – even when all the possible costs and impacts of/on housing, congestion, transport, schools, hospitals and various other factors have been taken into consideration.
- There are very considerable direct benefits to UK universities and colleges and to UK students as the income generated enables them to invest in new facilities, to expand their portfolios of courses and to sustain a wide range of subject offerings (often in STEM subjects) which would not be viable – and therefore not available to UK students - without international students.
- The students also bring to the UK an extraordinary range of international links – and very specifically with major trading partners and/or ones which will be increasingly important post Brexit, such as China, India, Nigeria, Malaysia and the USA all of which are in the top 10 by student numbers – and an international dimension to UK education of direct benefit to UK students who will increasingly be working and competing in a global economy.
- The recruitment of international students is therefore a vitally important export industry for the UK but also one which brings additional benefits in terms of soft power, international links and global perspectives all of which will be of critical value in the future.
- It is a global market which is (according to OECD) growing by some 10% annually and which has therefore, if appropriate policies are developed, considerable future potential for the UK.

## Impact of current policy

- The cumulative effect, however, of government rhetoric, policies to create a 'hostile environment', hugely complex and restrictive rules and a disproportionately harsh inspection and compliance regime - even for globally recognised and respected universities – together with the abolition of Post-Study Work - has been, for the majority of institutions, a significant downturn in international student numbers.
- Of particular concern have been the so-called 'credibility interviews' which undermine the objectivity and transparency of the decision making process and which have led some institutions – fearing the revocation of their licence if the visa refusal limit is breached – to restrict or end entirely making offers to any students in particular countries (such as Pakistan, Bangladesh and Nigeria) – details available.
- Numbers going to private colleges have been decimated, those to publicly funded Further Education colleges reduced by over 50% and the latest Higher Education Statistics Agency (HESA) returns show that overall numbers coming to UK universities are no longer increasing and that first year arrivals are now on the decrease.
- The HESA statistics also show that over the last 5 years the downturn and impact on certain local communities (which arguably might need investment and jobs most) has been particularly severe with non-EU student numbers decreasing in Bedfordshire by 66%, Teesside by 65%, Staffordshire 52%, Bradford 45%, Hull by 40%, Wolverhampton 37%.
- Whilst ministers say that applications to Russell Group universities have been on the rise (which is true) this is not the case for the vast majority of institutions and many believe that a change in policy on non-EU/Tier 4 students is now essential.
- This is now urgently required as a January 2017 report by the Higher Education Policy Institute (HEPI) suggests that any further 'crackdown' by the Home Office – as suggested by the Secretary of State's speech in October 2016 – could lead to additional lost income of £2bn per year.
- The final concern is that many believe that without access to loans and being subject to higher fees the number of **EU students** coming to the UK may significantly decrease in the future.
- That would without doubt be exacerbated if it appeared that they might be subject to the same degree of regulation and restriction (including to Post-Study Work) which currently applies to non-EU (Tier 4) students.
- We also have a number of substantial concerns about the effect of Brexit on EU students in the **immediate future** and have recently issued a Statement of Principles and recommendations (see annex attached).

## **Future immigration policy and systems**

- Whilst there has been some abuse in the past, a much tighter licensing regime has been in place for some years and (apart from one incident) there has been no recent (publicly available) evidence of any significant abuse. For the vast majority of institutions, therefore, the degree of detailed oversight and hugely expensive reporting is no longer justified and needs to be reviewed.
- The outstanding sensitivity has been around whether all (non-EU) students leave the UK once their visas have expired but recent reports suggest that this is now the case and it is important to note that time spent in the UK as a student does not automatically lead to settlement.
- International students therefore make virtually no difference to levels of net migration and should therefore be exempt from policies which are specifically designed to cut net migration recognising the limited time they are allowed to be in the UK and their net economic value.
- Those students who invest in a UK education and have appropriate skills and expertise should have preferential opportunities to apply for jobs in the UK, albeit initially for a defined period, and not just with Home Office licensed employers.
- Any review of the immigration system also needs to assess whether some simplification of the Tier 4 system might now be appropriate as systems, procedures, requirements and costs (to the Home Office, the sector and the student) have grown exponentially over the last five years.
- In particular the complexity of the current rules (with the Tier 4 Sponsor and Policy guidance now running to over 250 pages) and the 'credibility interviews' undertaken overseas need to be urgently reviewed.
- There is also evidence of duplication between various government departments and agencies (FCO, Home Office, DVLC, 'commercial partners', the additional requirement for Police Registration) leading to inefficiencies and confusion. But a lack of strategic involvement and influence from Departments other than the Home Office when policy is being agreed.
- In summary, in a reformed immigration system the government needs to recognise the special nature of international students and their economic value; re-design systems and processes which encourage and enable larger numbers of well-qualified students to apply; and maximise the benefits of their skills, contacts and expertise by allowing those who are suitably qualified to stay on and work in the future.

Chief Executive

UK Council for International Student Affairs

(chief\_exec@ukcisa.org.uk)

19.1.17

## UKCISA priorities and concerns over Brexit

UKCISA and its member institutions obviously have extensive concerns about the effect of Brexit on the continued mobility of students – including young academics and researchers – and in particular on the position of EU and EEA nationals and their dependants who are currently in the UK.

We are therefore putting forward the following principles and proposals, recently endorsed by our Board, which would, we believe, reduce anxiety amongst these groups, generate trust and help to maintain the UK's position in the run-up to and following Brexit, as one of the most attractive destinations for international students in the world.

1. Any changes to immigration status and consequent entitlements to access benefits and services (for example 'home' tuition fees, Student Support, NHS) should only apply to those European nationals who arrive in the UK after the UK's exit from the EU.
2. The eligibility of those students who plan to arrive in 2018 to loan funding and 'home' fee status should therefore be confirmed as soon as possible.
3. Any special provisions agreed for European nationals benefit not just EU nationals, but also 'non-EU' EEA nationals (from Norway, Iceland and Liechtenstein ), Swiss nationals, and the family members of all of these groups (whether or not those family members are European nationals).
4. All European nationals already in the UK at the point when the UK leaves the EU have fully preserved rights (a 'standstill' clause) to ensure that they and their family members can continue with their studies through to obtaining their qualifications.
5. Those who attain the right of permanent residence under European law continue to have their settled status recognised indefinitely.
6. The Home Office deal with individuals' applications for confirmation of their right of permanent residence under European law promptly.
7. The Home Office accept that their current requirement for students to show evidence of having been covered by comprehensive sickness insurance (CSI) or an EHIC card continually throughout the five-year qualifying period for the right of permanent residence is unjust and unfair, as so many believed that neither of these would ever be required as they had full entitlement to the NHS.

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UKCISA  
9–17 St Albans Place  
London N1 0NX

T +44 (0)20 7288 4330  
F +44 (0)20 7288 4360

[www.ukcisa.org.uk](http://www.ukcisa.org.uk)  
@ukcisa

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UKCISA gratefully acknowledges the financial support it receives from the Department for Business, Innovation and Skills, and from the Scottish Government.



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